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Spring 1990

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Benedict Stavis — Contradictions in Communist Reform: China before 4 June 1989

Mark A. Cichock — The Soviet Union and Yugoslavia in the 1980s

Gil Merom — Democracy, Dependency, and Destabilization: The Shaking of Allende's Regime

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Issued in Spring, Summer, Fall, and Winter, POLITICAL SCIENCE QUARTERLY (ISSN 0032-3195) is published by the Academy of Political Science,475 Riverside Drive, Suite 1274, New York, New York 10115-0012. Subscriptions are obtained through membership in the Academy. Regular membership, $28.00 a year. Three years, $68.00. Students, $18.00 a year. Libraries and institutions, $40.00 a year. Foreign postage, $8.00 additional per year. Second-class postage paid at New York, N.Y., and additional mailing offices. Volume 105 Number 1, Spring 1990.

Postmaster—Send address changes to Political Science Quarterly, 475 Riverside Drive, Suite 1274, New York, N.Y. 10115-0012.

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Articles that appeared in the POLITICAL SCIENCE QUARTERLY before 1953 are indexed in *The Reader's Guide to Periodical Literature* and since that year in the *Social Sciences Index.* Articles are also listed in *ABC Pol Sci,* the *International Bibliography of Political Science,* and the *Public Affairs Information Services Bulletin* and abstracted in *United States Political Science Documents, The International Political Science Abstracts, Historical Abstracts, Urban Affairs Abstracts,* and *America: History and Life.* Book reviews are listed in the *Book Review Index* to *Social Science Periodicals, Book Reviews Index,* and *Book Review Digest.* A title page and an index of articles and book reviews for each volume of the QUARTERLY are included in the Winter issue.

Back issues prior to 1976 and reprint editions may be ordered from Kraus Reprint Co., Route 100, Millwood, New York 10546. Other back issues may be ordered from the Academy. A check payable to the Academy of Political Science should accompany all orders. Single issue, $6.25. Reprints of articles are available from University Microfilms, 300 North Zeeb Road, Ann Arbor, Michigan 48106. Toll free number: 800-521-0600. One copy, $7.50. Additional copies, $2.50 each. Complete issue, $0.35 each plus $0.25 per page over 200 pages. All prices are subject to change.

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Library of Congress Catalog Card Number: 7-36315.

Printed by Capital City Press, Montpelier, Vermont.

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From the Editor:

In this issue . . .

RICHARD A. BRISBIN, JR. explores the political values of Justice Antonin Scalia of the Supreme Court. He argues that Scalia's writings and opinions to the end of the 1987 term of the Court contain a variation of the ideology of legalistic conservatism associated with Justice Felix Frankfurter and the current "right" members of the Court.

BENEDICT STAVIS provides the background for the Spring 1989 Tiananmen crisis and massacre in China. He explains that for two years economic problems and political tensions built up, yet the political system had not become resilient enough to resolve the crisis peacefully.

MARK A. CICHOCK describes a fundamental alteration that has come to characterize the Soviet-Yugoslav relationship in the Gorbachev era. The author concludes that a nonthreatening transformation took shape that was an early indicator of the change process in the rest of Eastern Europe.

GIL MEROM critically discusses contemporary approaches to the study of sanction and destabilization policies, using Chile as a primary example. Drawing from the American efforts against Chile and Cuba, he concludes that success or failure depends not only on the distribution of economic power in the system to be destabilized but also on the domestic social structure, the control over ideas and institutions, and the leader's talents.

MARK ALAN HUGHES and PETER M. VANDOREN examine the New Jersey Supreme Court's Mount Laurel decisions, which prohibited that township from excluding low-income housing through zoning ordinances. They question several premises of the strategy to defeat exclusionary zoning, supporting instead agreements negotiated between municipalities where one pays the other to provide up to half of its low-cost housing obligations.

HERBERT KAUFMAN reviews Thomas Kessner's recent biography of Fiorello H. La Guardia—perhaps New York City's greatest mayor—with particular attention to the extent and sources of La Guardia's power and the reasons for its eventual decline and disappearance.

DEMETRIOS CARALEY

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The Conservatism of Antonin Scalia

RICHARD A. BRISBIN, JR.

During 1981-1988 the Reagan administration consciously attempted to appoint federal judges who agreed with its policy agenda. The appointment of Antonin Scalia to the Court of Appeals for the District of Columbia and his elevation to the Supreme Court in August 1986 is the archetypical example of the administration's judicial appointment practice.[1] This article will examine Scalia's public statements, publications, and judicial opinions to the close of the 1987 term of the Supreme Court to permit an evaluation of his political and constitutional values. Special attention will be devoted to identifying his place in the Reagan effort to insure a bench in tune with the conservative policy stance and to indicating his place in modern conservative thought.

The Allegiances of a Justice

Like a number of Reagan administration appointees to the federal bench, Antonin Scalia taught law and served in the executive branch. During the Nixon and Ford administrations he served as general counsel in the Office of Telecommunications Policy in the Justice Department, chairman of the Administrative Conference of the United States, and assistant attorney general in charge of the Office of Legal Counsel. He held a position with the conservative American Enterprise Institute for Public Policy Research (AEI) in 1977. Although he returned to the

[1] Sheldon Goldman, "Reagan's Second Term Judicial Appointments: The Battle at Midway," *Judicature* 70 (April-May 1987): 324-339; Jon Gottschall, "Reagan's Appointments to the U.S. Courts of Appeals: The Continuation of a Judicial Revolution," *Judicature* 70 (June-July 1986): 48-54; Debra Cassens Moss, "The Policy and Rhetoric of Ed Meese," *American Bar Association Journal* 73 (1 February 1987): 64-69; Elder Witt, *A Different Justice: Reagan and the Supreme Court* (Washington, D.C.: CQ Press, 1986).

RICHARD A. BRISBIN, JR. is assistant professor of political science at West Virginia University. He is currently working on a book on dispute resolution processes with Susan Hunter.

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TABLE 1

Published Opinions of Antonin Scalia for the District of Columbia Court of Appeals

Topic	*Number*	*%*
Administrative law, including APA, FOIA, statutory powers of agencies and justiciability cases with agency party	99	74.4
Foreign affairs, judicial powers abroad	6	4.5
Exclusive power of Congress or president	5	3.8
First Amendment issues	6	4.5
Criminal procedure and due process	8	6.0
Equal protection and civil rights statutes	4	3.0
Other, including D.C. law, contracts, bankruptcy	5	3.8
Total	133	100.0

University of Chicago Law School in 1977, Scalia remained the editor of AEI's journal, *Regulation*, and a proponent of extensive deregulation.[2]

As a member of the District of Columbia Court of Appeals after appointment by President Ronald Reagan in 1982, Scalia wrote 133 opinions that were published in the *Federal Reporter*.[3] As Table 1 reveals, 74.4 percent of the opinions dealt with either agency powers under regulatory statutes or the standing of parties to challenge agency action. The court *en banc* overruled his decisions three times. Although Scalia addressed presidential and congressional authority in administrative law problems in his many opinions, prior to his Supreme Court service he never wrote on many aspects of criminal due process, school desegregation, state action problems, abortion, "new" equal protection claims, freedom of religion and the establishment clause, the commerce clause, most federalism issues, and most civil rights, bankruptcy, and antitrust statutes.

Upon appointment to the Supreme Court for the 1986 term, Scalia began to write and vote on a wider range of legal issues. During the term he emerged as an ally of justices on the right of the Court. Table 2 contains a matrix of the inter-agreements in voting by the justices on 152 cases decided with signed opinion or by lengthy per curiam decisions by the Court during the term. The matrix is constructed according to the procedures described by John Sprague. To identify bloc voting within the Court, he applied a criterion that measures the strength of

[2] For biographical information, see *Almanac of the Federal Judiciary* 2 (1985–1986): 14–15; Sidney Blumenthal, "A Well-Connected Conservative," *Washington Post*, 22 June 1986; Ruth Marcus and Susan Schmidt, "Scalia Tenacious after Staking out a Position," *Washington Post*, 22 June 1986; United States Senate, Committee on Judiciary, Hearings on the Confirmation of Federal Judges, Nomination of Antonin Scalia to the Court of Appeals, 97th Congress, 2nd sess., 4 August 1982, 90–92.

[3] Of the opinions, there were fifteen dissents, seven concurrences, and seven "concurrence and dissent in part" opinions. The figures on Scalia's opinion writing in Michael Patrick King, "Justice Antonin Scalia: The First Term in the Supreme Court," *Rutgers Law Journal* 20 (Fall 1988): 1, are in error.

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TABLE 2

Supreme Court Interagreement Percentages, 1986 Term

Justice	*Ma*	*Br*	*Bm*	*Sv*	*Wh*	*Rh*	*Sc*	*OC*	*Po*
Marshall	—	92.8	78.5	74.2	45.7	38.2	46.6	46.4	52.0
Brennan		—	79.2	72.2	47.7	37.5	45.9	47.0	53.9
Blackmun			—	70.3	62.8	51.7	57.9	57.3	64.4
Stevens				—	58.7	46.4	58.5	53.3	55.9
White					—	82.1	76.9	72.0	77.5
Rehnquist						—	84.5	82.1	80.9
Scalia							—	76.9	73.6
O'Connor								—	77.5
Powell									—

Court Cohesion = 63.3 percent.
Sprague Criterion = 81.7 percent.
Note: The figures indicate the percentage of votes in which a pair of justices vote in an identical direction.

agreement among the justices.[4] The Sprague criterion, which compares the percentage of interagreement or cohesion among various groups of justices included in the matrix, verifies the existence of several blocs, including one composed of William Rehnquist and Scalia (cohesion = 84.5 percent). Interestingly, a five-justice bloc of Byron White, Rehnquist, Scalia, Sandra O'Connor, and Lewis Powell (cohesion = 77.9 percent), a four-justice bloc of White, Rehnquist, Scalia, and O'Connor (cohesion = 79.1 percent), and three-justice blocs of Rehnquist, O'Connor, and Scalia (cohesion = 81.2 percent) and White, Rehnquist, and Scalia (cohesion = 81.2 percent) barely failed to satisfy the Sprague criteria.

An interagreement matrix for 148 cases decided by signed opinion or lengthy *per curiam* opinion for the 1987 term of the Court, presented as Table 3, indicates that Scalia formed a bloc with Justice Anthony Kennedy that satisfies the Sprague criteria (cohesion = 90.4 percent). Blocs of Scalia with Kennedy and Rehnquist (cohesion = 86.8 percent); Scalia with Rehnquist (cohesion = 86.3 percent); Scalia with Kennedy and White (cohesion = 85.8 percent); Scalia with Kennedy, Rehnquist, and O'Connor (cohesion = 85.2 percent); and Scalia with Kennedy, Rehnquist, O'Connor, and White (cohesion = 84.2 percent) all barely failed to satisfy the Sprague criteria. Again Scalia had close associations but not intense loyalty to the positions of the other justices on the right of the Court.

To permit examination of the influence of Scalia on the decisions of the Court during the term, Table 4 reports the majority participation rates of the justices. The evidence for the 1986 term indicates that Scalia was third in majority participation, nearer the center of gravity occupied by Powell and White than the other

[4] John D. Sprague, *Voting Patterns of the United States Supreme Court: Cases in Federalism, 1889–1959* (Indianapolis: Bobbs-Merrill Co., 1968), 21–50, 54.

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TABLE 3

Supreme Court Interagreement Percentages, 1987 Term

Justice	*Br*	*Ma*	*Bm*	*Sv*	*Wh*	*Kn*	*Sc*	*Rh*	*OC*
Brennan	–	95.9	86.2	79.9	70.3	68.5	63.7	62.1	61.4
Marshall		–	85.6	79.5	67.1	65.8	61.6	61.6	61.6
Blackmun			–	75.9	73.3	71.2	69.2	70.5	67.8
Stevens				–	75.9	72.2	70.3	72.4	70.3
White					–	86.1	80.9	81.5	82.2
Kennedy						–	90.4	83.6	83.3
Scalia							–	86.3	84.9
Rehnquist								–	82.9
O'Connor									–

Court Cohesion = 75.1 percent.
Sprague Criterion = 87.6 percent.
Note: The figures indicate the percentage of votes in which a pair of justices vote in an identical direction.

TABLE 4

Majority Participation by Justices in Percentages Ranked by Majority Participation (number of participations in parentheses)

1986 Term		*1987 Term*	
Justice	*Majority Participation*	*Justice*	*Majority Participation*
Powell	83.6 (152)	Kennedy	91.8 (73)
White	81.6 (151)	White	89.1 (147)
Scalia	76.3 (148)	Rehnquist	83.7 (147)
Blackmun	75.7 (149)	Scalia	83.7 (147)
O'Connor	73.7 (151)	Stevens	82.9 (146)
Stevens	68.4 (151)	Blackmun	81.6 (147)
Rehnquist	67.1 (152)	O'Connor	81.0 (147)
Brennan	63.8 (146)	Brennan	78.8 (146)
Marshall	63.2 (147)	Marshall	76.9 (147)
Number = 152		Number = 148	

Reagan appointees, O'Connor and Rehnquist.[5] During 1987 Scalia was tied for third in majority participation with Rehnquist, trailing the majority participation rates of Kennedy and White.

Table 5 presents the support of the justices for the policies of the Reagan administration in cases adjudged during the 1986 and 1987 terms. The table includes cases when the administration was a party to the case or participated *amicus curiae.* Justices White, Rehnquist, Powell, O'Connor, and Scalia voted for the adminis-

[5] The term is from Glendon Schubert, *Quantitative Analysis of Judicial Behavior* (Glencoe, Ill.: The Free Press, 1959), 120–121.

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TABLE 5

Votes in Cases with Reagan Administration as Party or Intervenor, Justices Ranked by Support for the Administration in Percentages (number of participations in parentheses)

1986 Term		*1987 Term*	
Justice	*Support*	*Justice*	*Support*
White	81.0 (58)	Scalia	75.8 (62)
Rehnquist	78.0 (59)	Rehnquist	73.0 (63)
Powell	74.6 (59)	O'Connor	71.4 (63)
O'Connor	74.6 (59)	Kennedy	70.4 (27)
Court average	72.9 (59)	White	69.4 (62)
Scalia	71.9 (57)	Court average	66.7 (63)
Stevens	57.6 (59)	Blackmun	55.6 (63)
Blackmun	50.9 (57)	Stevens	54.0 (63)
Brennan	40.7 (59)	Marshall	45.2 (62)
Marshall	40.7 (59)	Brennan	44.3 (61)

tration between 81.0 percent and 71.9 percent of the time during the 1986 term; while the other four justices exhibited far less support for the administration (57.6 percent to 40.7 percent). Thus, Scalia supported the administration that appointed him to the Supreme Court, even though the administration won slightly more support from White and Powell. But during the 1987 term, Scalia proved to be the justice most supportive of the administration. Although the four Reagan appointees or reappointees finished the term ranked as the top four supporters of the administration, Scalia edged them out for most support for the administration. All together the evidence confirms his allegiance to the policy positions of the Reagan presidency.

The Democratic Vision of Antonin Scalia

From his voting record and from his opinions for the Court of Appeals and the Supreme Court, it is possible to discern a political vision underlying Scalia's approach to constitutional problems and legal issues affecting public policy. His political vision, an idea or understanding of the best society and the political institutions that could promote such a society, is democratic.[6] He believes in popular control of public policy through representative institutions and in respect for the majority's policy choices. Also, because Scalia believes that governmental policies involve "prudential" judgments among competing values by leaders, his Constitution does not require governmental action in accordance with any specific value or theory. The choice among alternative policies is a pragmatic choice about what

[6] The term political vision is used to describe a prescriptive on the future because it avoids the narrow connotations of ideology or theory.

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is best for the community, and it is a choice best left to executive and legislative officials.[7]

Skeptical about judicial policy making, Scalia trusts that executives, legislatures, and executive agencies will serve as expert bodies implementing majoritarian policy choices. Thus the core of his political vision is a proposition, a political position valued for its own sake, holding that American constitutional politics can continue to exist only if capable and expert leaders can define and implement good public policy. Although his opinions indicate a confidence in the expertise and discretion of administrators, he also finds them capable of arbitrary and capricious action.[8] Likewise, he believes that the executive and legislators can make errant decisions. But he seems convinced that the wisdom of these individuals is usually greater than that of judges and the general public. Therefore, his political vision simply chooses to emphasize representative leadership rather than participatory, cooperative, or populist modes of democratic choice as a core value of the Constitution.

Judicial Power

Derived from the central proposition of Scalia's democratic vision are a series of standards that define how the Constitution and statutes should be interpreted if his goal of capable leadership of the people is to be achieved. One standard is that the Supreme Court should avoid overseeing or altering the choices of leaders of the other branches of government. In a case challenging the procedures of the Agriculture Department he wrote that "Government mischief whose effects are widely distributed is more readily remedied through the political process, and does not call into play the distinctive function of courts as guardians against the oppression of the few by the many."[9] He believes the idea of separated powers demands that courts are to use the "passive virtues," or adhere to precedent, a "traditional" role, and an undefined methodology of "judicial craftsmanship."[10] In a

[7] Antonin Scalia, "Morality, Pragmatism, and the Legal Order," *Harvard Journal of Law and Public Policy* 9 (Winter 1986): 123–127.

[8] *Rainbow Navigation v. Dept. of the Navy*, 783 F.2d 1072 (D.C. Cir. 1986); *Citizens for Jazz on WRVR v. FCC*, 775 F.2d 392 (D.C. Cir. 1985); *Electrical Dist. No. 1 v. FERC*, 774 F.2d 490 (D.C. Cir. 1985); *Maryland People's Counsel v. FERC*, 761 F.2d 768 (D.C. Cir. 1985); *New England Coalition on Nuclear Pollution v. NRC*, 724 F.2d 1127 (D.C. Cir. 1984); *Drukker Communications v. NLRB*, 700 F.2d 724 (D.C. Cir. 1983).

[9] *Community Nutrition Institute v. Block*, 698 F.2d. 1239, 1256 (D.C. Cir. 1983) (Scalia J., conc. & dissenting).

[10] The concept of passive virtues is defined in Alexander M. Bickel, *The Least Dangerous Branch* (Indianapolis: Bobbs-Merrill, 1962), 111–198; but Scalia establishes its basis in separated powers more than Bickel, who bases it on judicial capabilities. See Antonin Scalia, "The Doctrine of Standing as an Essential Element of the Separation of Powers," *Suffolk University Law Review* 17 (Winter 1983): 881–899. For further insight of the high value he places on established legal rules, see Antonin Scalia, "The Francis Boyer Lecture on Public Policy," The American Enterprise Institute for Public Policy Research, Washington, D.C., C-SPAN, 5 December 1989 (author's notes of the broadcast).

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TABLE 6

Votes of Justices in Cases Involving Standing and Judicial Remedies Ranked in Refusal to Grant Remedies in Percentages (number of participations in parentheses)

1986 Term		*1987 Term*		*Both Terms*	
Justice	*Number Remedies*	*Justice*	*Number Remedies*	*Justice*	*Percentage Number Remedies*
Rehnquist	69.2 (13)	O'Connor	66.7 (27)	Rehnquist	65.0 (40)
White	53.8 (13)	Rehnquist	63.0 (27)	O'Connor	62.5 (40)
Powell	53.8 (13)	Scalia	63.0 (27)	Scalia	59.0 (39)
O'Connor	53.8 (13)	Marshall	59.3 (27)	Powell	53.8 (13)
Scalia	50.0 (12)	Court average	55.6 (27)	White	52.5 (40)
Court average	46.2 (13)	White	51.9 (27)	Court average	52.5 (40)
Blackmun	33.3 (12)	Blackmun	51.9 (27)	Kennedy	50.0 (12)
Stevens	23.1 (13)	Stevens	51.9 (27)	Blackmun	46.2 (39)
Brennan	0.0 (13)	Kennedy	50.0 (12)	Stevens	42.5 (40)
Marshall	0.0 (13)	Brennan	48.1 (27)	Marshall	40.0 (40.)
				Brennan	32.5 (40)

Court of Appeals case he offered additional confirmation of separated powers as a check on judicial powers, stating that "Such a vision of judicial supremacy, not only in interpreting the Constitution but in controlling every aspect of executive actively bearing upon citizens' constitutional rights, does not comport with our understanding of the separation of powers."[11] Scalia champions the doctrine of standing as a way of restricting "courts to their traditional undemocratic role of protecting individuals and minorities against impositions of the majority" and to exclude "them from the even more undemocratic rule of prescribing how the other two branches should function in order to serve the interest *of the majority itself*."[12]

Table 6 contains information on cases raising questions of standing and the availability of judicial remedies from the 1986 and 1987 terms. In these cases the original plaintiff sought to mobilize the law to effect changes in public policy. Despite the small number of cases for both terms, Scalia voted for access for the challenger in 41.0 percent of the cases; he was more reluctant to open the courts to cases involving plaintiffs challenging existing legislative and executive policies than any of the justices except Rehnquist and O'Connor.

Scalia's opinions have applied a specific set of tactics to keep courts out of matters that he would assign to elected leaders. As a first tactic, he provided judicial relief to citizens only when an "injury in fact" was caused by other persons or govern-

[11] *Ramirez de Arellano v. Weinberger*, 724 F.2d 143, 156 (D.C. Cir. 1983).

[12] Scalia, "Doctrine of Standing," 894. (Emphasis in original.)

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ment.[13] Consequently, he argued against judicial relief for a church and its associated parties subjected to indirect government intelligence-gathering, against agency rules that did not aggrieve or have an impact on the daily affairs of firms, against hearing improperly stated claims, and against hearing a case of indirect responsibility for a crime.[14] He refused to extend the ability of parties to sue government for infringements of civil rights in a case seeking damages for a former serviceman who was given LSD during an experiment while he was on active duty. He also refused relief to the serviceman under the Federal Tort Claims Act.[15]

Scalia, as a second tactic, used separation-of-powers arguments to constrain judicial relief of alleged harms. Relying on a separated powers argument, he denied a court the authority to hire a private attorney to prosecute a contempt against it. He viewed the prosecution of contempt to be an executive task, because it was not afforded to the courts by Congress.[16] Scalia held that a police officer, who conducted a warrantless search while acting in "good faith" that his search was legal, had a qualified executive immunity from suits because of the objective reasonableness in the circumstances confronting him.[17] Scalia also argued that the independent authority of Congress permitted it to restrict judicial review of certain specific provisions of law.[18] He especially objected to judicial ignorance of congressional and court-created rules limiting judicial jurisdiction over disputes.[19]

As a third tactic of passivity, he was cautious in permitting interest groups to challenge governmental actions and agency decisions. For Scalia, group legal action must be reasonable and in accordance with court rules.[20] He narrowly construed the Civil Rights Attorney's Fees Awards Act of 1976 to deny attorney fees to a civil rights litigant who won a favorable interpretation of law from a federal court but who failed to go forward to secure a remedy from the court.[21] As a related means of controlling judicial power, Scalia conceded that legislators can check

[13] Ibid., 894–895. Compare to *Maryland People's Counsel v. FERC*, 760 F.2d 318 (D.C. Cir. 1985).

[14] *United Presbyterian Church in the U.S.A. v. Reagan*, 738 F.2d 455 (D.C. Cir. 1984); *Transwestern Pipeline Co. v. FERC*, 747 F.2d. 784 (D.C. Cir. 1984); *American Trucking Assns. v. ICC*, 747 F.2d 787 (D.C. Cir. 1984); *Carducci v. Regan*, 714 F.2d 171 (D.C. Cir. 1983); *Romero v. National Rifle Assn. of America*, 749 F.2d 77 (D.C. Cir. 1984).

[15] *United States v. Stanley*, 107 S.Ct. 3054 (1987); compare to *Bivens v. Six Unknown Named Agents*, 403 U.S. 443 (1971).

[16] *Young ex rel. United States v. Vuitton et Fils, S.A.*, 107 S.Ct. 2124, 2141–2147 (1987) (Scalia, J., conc.); see also *United States v. Providence Journal*, 108 S.Ct. 1502, 1511 (Scalia, J., conc.).

[17] *Anderson v. Creighton*, 107 S.Ct. 3034 (1987).

[18] *United States v. Fausto*, 108 S.Ct. 396 (1988); *K Mart Corp. v. Cartier, Inc.* (I), 108 S.Ct. 950, 960–2 (1988) (Scalia, J., dissenting).

[19] *Houston v. Lack*, 108 S.Ct. 2379, 2385–9 (1988) (Scalia, J., dissenting); *Torres v. Oakland Scavenger Co.*, 108 S.Ct. 2405, 2409–10 (1988) (Scalia, J., conc.); *Bowen v. Massachusetts*, 108 S.Ct. 2722, 2742–51 (1988) (Scalia, J., dissenting).

[20] *National Black Media Coalition v. FCC*, 760 F.2d 1297 (D.C. Cir. 1985); *Center for Auto Safety v. NHTSA*, 793 F.2d 1322, 1342–1345 (D.C. Cir. 1986) (Scalia, J., dissenting); *Natural Resources Defense Council v. Thomas*, 801 F.2d 457 (D.C. Cir. 1986). See also Richard Nagareda, "The Appellate Jurisprudence of Justice Antonin Scalia," *University of Chicago Law Review* 54 (Spring 1987): 706–715.

[21] *Hewitt v. Helms*, 107 S.Ct. 2672 (1987).

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judicial power by curtailing judicial review of the statutory powers of administrative agencies. Consequently, suits against government by various interest groups or citizens depend on Congress specifically establishing rights or interests that can be subjected to litigation.[22]

As a fourth tactic, Scalia reluctantly granted preenforcement relief to parties affected by agency rules and regulations. Despite precedents allowing such relief, he afforded it only when there was a strong possibility of irreparable injury.[23] Fifth, he respected the traditional reluctance of courts to consider disputes arising outside the United States, as in a suit by aliens alleging damages because of American violations of international law in Nicaragua.[24] He dissented when the Court of Appeals gave standing to a United States citizen whose property had been damaged during American military maneuvers in Honduras. He deemed the decision to be an "unprecedented" extension of judicial power because of its "elegant agnosticism" in reading a statute on such problems, its "incomprehensible disregard of traditional principles of equitable discretion," its interference with executive policies, an executive agreement, and executive acts of state, and its impugnment of the "integrity and fairness" of the courts of a friendly nation.[25]

As a sixth tactic of passivity, Scalia banned judicial intrusion into the internal conflicts of the Congress. He wrote that courts should not review congressional decisions on the qualifications of its members, the method Congress uses to distribute appropriations to agencies, or member challenges to the rules of the House of Representatives.[26] Seventh, he asserted court rules to prevent frivolous suits, suits on settled matters under a sharper doctrine of finality, moot issues, and actions that resulted in a "squandering of judicial resources."[27]

Scalia's use of the passive virtues and his deference to elected representatives does not prohibit courts from considering questions of fundamental constitutional

[22] *Sharp v. Weinberger*, 798 F.2d 145 (D.C. Cir. 1986); *ASARCO v. FERC*, 777 F.2d 764 (D.C. Cir. 1985); *Gott v. Walters*, 756 F.2d 902 (D.C. Cir. 1985). Compare *FAIC Securities v. U.S.*, 768 F.2d 352, 356–361 (D.C. Cir. 1985). Scalia also opposes private rights of action that allow private challenges of other private parties who fail to comply with agency rules; *Thompson v. Thompson*, 108 S.Ct. 513, 520–523 (1988) (Scalia, J., conc.).

[23] On preenforcement review, see *South Carolina Gas and Electric Co. v. ICC*, 747 F.2d 1541 (D.C. Cir. 1984); *Air New Zealand v. CAB*, 726 F.2d 832 (D.C. Cir. 1984).

[24] *Sanchez-Espinosa v. Reagan*, 770 F.2d 202, 208 (D.C. Cir. 1985).

[25] *Ramirez de Arellano v. Weinberger*, 747 F.2d 1500, 1555–1564 (D.C. Cir. 1984) (Scalia, J., dissenting). See also *Asociación de Reclamantes v. United Mexican States*, 735 F.2d 1517 (D.C. Cir. 1984); *Beattie v. U.S.*, 756 F.2d 91 (D.C. Cir. 1984) (Scalia, J., dissenting).

[26] *Morgan v. U.S.*, 801 F.2d 445 (D.C. Cir. 1986); *International Union, UAW v. Donovan*, 746 F.2d 855, 861–862 (D.C. Cir. 1984); *Moore v. U.S. House of Representatives*, 733 F.2d 946, 962–965 (D.C. Cir. 1984) (Scalia, J., conc.). See also *National Juvenile Law Center v. Regnery*, 738 F.2d 455 (D.C. Cir. 1984).

[27] *Gulfstream Aerospace Corp. v. Mayacamas Corp.*, 108 S.Ct. 1133, 1144–5 (1988) (Scalia, J., conc.); *Honig v. Doe*, 108 S.Ct. 592, 614 (1988) (Scalia, J., dissenting); *Mathes v. Commissioner of Internal Revenue*, 788 F.2d 33 (D.C. Cir. 1986); *Dozier v. Ford Motor Co.*, 702 F.2d 1189 (D.C. Cir. 1983); *Trakas v. Quality Brands*, 759 F.2d 185 (D.C. Cir. 1985) (Scalia, J., dissenting); *Conafay by Conafay v. Wyeth Laboratories*, 793 F.2d 1322, 1342–1345 (D.C. Cir. 1986) (Scalia, J., dissenting).

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values. For example, he supported judicial consideration of the constitutionality of the legislative veto because the constitutional text appeared to be violated.[28] However, he believes that, "To convert the sometimes inescapable necessity of considering the validity of statutes into a continuing *mission* to do so; and then to convert standing into equitable discretion as though it makes no great difference, is to toy with the separation of powers."[29] Review on constitutional grounds must be confined to "*valid*" claims, and it should exclude those "*colorable*" constitutional claims patched onto claims on other issues.[30] The agencies of the state thus are freed from close judicial and, indirectly, interest-group scrutiny through Scalia's narrow interpretation of the scope of judicial power.

The "Political" Branches

Besides a restrained judicial role in constitutional politics, Scalia has offered a second standard of constitutional governance: executives and legislators must identify, define, and proclaim policies in the community interest, subject to public consent by electoral means. Experts must determine what is best for the public and then communicate their views to executive and legislative officials; these elected officials must educate the public about the expert's evaluation of the policy actions. The public should respond to the leader's positions, especially at election time, and support or reject the agenda set by experts and refined by elected leaders. The public thus serves as a control on official or state power rather than as a participant in policy choice.

In his dissenting opinion in *Morrison v. Olson*, the special prosecutor case, Scalia confirmed his belief in the value of policy direction by the executive. Although he critiqued the chief justice's opinion upholding the scheme established by Congress for the appointment and removal of special prosecutors to inquire into executive branch violations of the law, his opinion was also a polemic against any external interference in executive branch policy making. Scalia's opinion rested upon a legalistic definition of the relations among the branches of the federal government. He stated, "A government of laws means a government of rules. Today's decision on the basic issue of fragmentation of executive power is ungoverned by rule, and hence is ungoverned by law."[31] In his opinion for the Court, he strongly objected to Rehnquist's use of a balancing test and by implication a pragmatic theory of the relations between the branches. Scalia claimed the balancing test let the majority tailor the law to its own policy predilections.[32]

Besides calling for a legalized relationship between the branches, Scalia offered

[28] Antonin Scalia, "The Legislative Veto: A False Remedy for System Overload," *Regulation* 3 (November-December 1979): 19–26.

[29] *Moore v. U.S. House of Representatives*, 733 F.2d 946, 964 (D.C. Cir. 1984) (Scalia, J., conc.).

[30] *Webster v. Doe*, 108 S.Ct. 2047, 2059–63 (1988) (Scalia, J., dissenting). (Emphasis in original.)

[31] *Morrison v. Olson*, 108 S.Ct. 2597, 2640–1 (1988) (Scalia, J., dissenting).

[32] Ibid., 2641 (Scalia, J., dissenting).

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a definition of the legal powers of the executive. The definition rested on his reading of the "plain meaning" of Article II of the Constitution to be a grant of some exclusive powers to the executive.[33] He read the Article as a statement allocating exclusive powers over appointment and removal of executive officers to the president. To buttress this contention he cited the opinion of the Court in *Humphrey's Executor v. United States*,[34] which defined the executive removal powers of the president and the meaning of the term "executive officers."[35] He also contended that the power to prosecute crimes was "a quintessentially executive function" and that restrictions on its operation by the special prosecutor law interfered with an exclusive executive power in violation of the Constitution.[36] All of these powers, he argued, reduced presidential authority in an unconstitutional manner.[37]

Scalia often drifted into dicta in his dissenting opinion in *Morrison*; however, these discussions clarify the thrust of his vision of executive power. He feared that the approval of this law permitted legislative interference in the president's command of the executive branch. Through this interference he imagined that the Congress could induce staff disloyalty to the executive or decrease popular support for executive policy efforts.[38] He also complained that judges could initiate unfair or unjust prosecutions of executive officers.[39] Scalia wanted a presidency free to make policy and control the executive branch with as few checks and balances as possible. Indeed, his opinion mentioned only elections and the exclusive powers of the other branches as proper constitutional checks and balances against executive policy making and policy implementation powers.[40]

Scalia also has indicated his support for executive policy leadership by expressing a fundamental confidence in the expertise of agency rulemaking. He would grant agencies the discretion to formulate concise, comprehensive rules, because he fears that bureaucratic policy making by adjudication produces policy in a disorganized, incremental fashion.[41] His decisions for the Court of Appeals frequently supported such agency discretion in rulemaking.[42] Scalia's first opinion for the Supreme Court

[33] Ibid., 2631–5 (Scalia, J., dissenting).

[34] *Humphrey's Executor v. United States*, 295 U.S. 602 (1935).

[35] *Morrison v. Olson*, 108 S.Ct. at 2627–37 (Scalia, J., dissenting).

[36] Ibid., 2627–8 (Scalia, J., dissenting).

[37] Ibid., at 2628 (Scalia, J., dissenting).

[38] Ibid., at 2630–1, 2640 (Scalia, J., dissenting).

[39] Ibid., at 2638–40 (Scalia, J., dissenting). For a related objection to judicial interference in areas of exclusive executive power, see *Webster v. Doe*, 108 S.Ct. at 2059–60, 2063 (Scalia, J., dissenting).

[40] *Morrison v. Olson*, 108 S.Ct. at 2628–9 (Scalia, J., dissenting).

[41] Antonin Scalia, "Back to Basics: Making Law With Making Rules," *Regulation* 5 (July-August 1981): 25–26.

[42] *Brock v. Cathedral Bluffs Shale Oil Co.*, 796 F.2d 533 (D.C. Cir. 1986); *Aluminum Co. of America v. ICC*, 761 F.2d 746 (D.C. Cir. 1985); *Atlanta Gas Light Co. v. FERC*, 756 F.2d 191 (D.C. Cir. 1985); *Association of Data Processing Service Organizations v. Bd. of Governors, Federal Reserve System*, 745 F.2d 677 (D.C. Cir. 1984); *Port Norris Express Co. v. ICC*, 728 F.2d 543 (D.C. Cir. 1984); *Kansas Cities v. FERC*, 723 F.2d 82 (D.C. Cir. 1983); *Sea-Land Service v. Dole*, 723 F.2d 975 (D.C. Cir. 1983); *City of Bedford v. FERC*, 718 F.2d 1164 (D.C. Cir. 1983).

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continued this record as he upheld a reading of taxation language in the Panama Canal Treaty.[43] Scalia also affirmed agency interpretations of the meaning of statutes because of the agency's "expert knowledge of the interpretation's practical consequences."[44]

Scalia desired to minimize judicial control of agency activity. He made it clear that parties have to exhaust administrative remedies unless the agency had arbitrarily and capriciously abused its discretion.[45] He sought to keep courts out of the consideration of congressional assignment of duties and the expenditure of funds to agencies, "an archetypical political task."[46] Courts, he argued, should act only to see if agency discretion is sanctioned by statutes. They should avoid inquiry into the rationality of congressional action, the creation of additional procedures for agencies to follow (hybrid rulemaking), or "hard look" inquiry into the wisdom of administrative procedures and rules.[47] He refused to allow courts to inquire into presidential direction of agencies.[48] Although he expressed some concern about Office of Management and Budget oversight of agency rulemaking under the Reagan deregulation program, he stated that the executive should make "vigorous use of the machinery of government" to control the contours of policy making through agency rulemaking.[49]

Scalia's voting record while on the Court of Appeals was more supportive of agency action than any other member of his court.[50] Table 7 reports voting during the 1986 and 1987 Supreme Court terms in cases on executive agencies and issues with an administration position. Surprisingly, Scalia (67.4 percent pro-agency for both terms) was not the justice most supportive of agency choices, giving reason to question his strong support for agencies in his writings.

The reason for the modest support for agency claims during the 1986 and 1987

[43] *O'Connor v. United States*, 107 S.Ct. 347 (1986).

[44] *K Mart Corp. v. Cartier, Inc.*, 108 S.Ct. 1811, 1837 (1988) (Scalia, J., conc. & dissenting); see also *National Labor Relations Board v. United Food and Commercial Workers Union, Local 23*, 108 S.Ct. 413, 426–427 (1987) (Scalia, J., conc.); *Mississippi Power & Light Co. v. Mississippi ex rel. Moore*, 108 S.Ct. 2428, 2442–5 (1988) (Scalia, J., conc.).

[45] *Interstate Commerce Commission v. Brotherhood of Locomotive Engineers*, 107 S.Ct. 2360 (1987). He also favors restrictions on judicial review of agency decisions; see "Remarks of Justice Antonin Scalia Before the Fellows of the American Bar Foundation and the National Conference of Bar Presidents," New Orleans, La., 15 February 1987, 8.

[46] *International Union, UAW v. Donovan*, 746 F.2d 855, 862 (D.C. Cir. 1984).

[47] Antonin Scalia, "Two Wrongs Make a Right: The Judicialization of Standardless Rulemaking," *Regulation* 1 (July-August 1977): 38–41; Antonin Scalia, "The Role of Judiciary in Deregulation," *Antitrust Law Journal* 55 (1986): 193–195.

[48] *Center for Auto Safety v. Peck*, 751 F.2d 1336, 1336 (D.C. Cir. 1985). See also Scalia, "Role of the Judiciary in Deregulation," 197–198.

[49] Antonin Scalia, "Responsibilities of Regulatory Agencies under Environmental Laws," *Houston Law Review* 24 (January 1987): 97–109; and also Scalia, "Back to Basics," 26–27; Antonin Scalia, "Regulatory Reform—The Game Has Changed," *Regulation* 5 (January-February 1981): 13–15; Antonin Scalia, "Reagulation—The First Year," *Regulation* 6 (January-February 1982): 19–21.

[50] David H. Willison, "Judicial Review of Administrative Decisions," *American Politics Quarterly* 14 (October 1986): 321, table 2.

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TABLE 7

Votes of Justices in Cases Involving Federal Agencies Ranked by Support of Agency in Percentages (number of participations in parentheses)

1986 Term		*1987 Term*		*Both Terms*	
Justice	*Support Agency*	*Justice*	*Support Agency*	*Justice*	*Support Agency*
O'Connor	85.0 (20)	O'Connor	70.4 (27)	Powell	80.0 (26)
Rehnquist	80.0 (20)	White	69.2 (26)	O'Connor	76.6 (47)
Powell	80.0 (20)	Scalia	69.2 (26)	Rehnquist	72.3 (47)
White	75.0 (20)	Rehnquist	66.7 (27)	White	71.7 (46)
Court average	75.0 (20)	Court average	66.7 (27)	Court average	70.2 (47)
Stevens	65.0 (20)	Blackmun	66.7 (27)	Scalia	67.4 (46)
Scalia	65.0 (20)	Kennedy	66.7 (8)	Stevens	63.8 (47)
Stevens	63.0 (20)	Stevens	63.0 (27)	Kennedy	62.5 (8)
Marshall	60.0 (20)	Marshall	59.3 (27)	Blackmun	61.7 (47)
Blackmun	55.0 (20)	Brennan	57.7 (26)	Marshall	59.6 (47)
				Brennan	58.7 (46)

terms probably was his willingness to criticize agency interpretations of statutes when they ignored the plain meaning of the statute. He made this clear in a concurring opinion chiding an agency for pushing the language of a statute to extremes because of excessive judicial deference to the agency.[51] In a concurring opinion in another administrative case he refused to defer to the agency interpretation of a statute when the agency relied on the legislative history of the statute rather than its plain meaning.[52] Although he has admitted that political leadership of agencies deserves respect from the courts, Scalia believes that the community good is also best served by clear and concise congressional policy making.[53] Thus, he was critical of the so-called new regulation of the past two decades, because Congress ignored precision and procedural uniformity in its statutory language. This looseness of language abetted the growth of uncontrolled agency power and made external oversight of the agency more difficult, for "to the extent that the choice of procedures is left to the agencies themselves, to that same extent the agencies are left to determine a substantial aspect of their own power."[54] The diversity of procedures defined by agencies on their own thus prohibited an easy

[51] *National Labor Relations Board v. International Brotherhood of Electrical Workers, Local 340*, 107 S.Ct. 2002, 2015–2017 (1987) (Scalia, J., conc.).

[52] *Immigration and Naturalization Service v. Cardoza Fonseca*, 107 S.Ct. 1207, 1223–1225 (1987) (Scalia, J., conc.); *Langley v. Federal Deposit Insurance Corp.*, 108 S.Ct. 396 (1987); *United States v. Taylor*, 108 S.Ct. 2413, 2423–4 (1988) (Scalia, J., conc.).

[53] Antonin Scalia, "Vermont Yankee: The APA, the D.C. Circuit, and the Supreme Court," *Supreme Court Review* (1978): 386–387, 400–409.

[54] Scalia, "Vermont Yankee," 407.

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comprehension of the propriety of agency action by the legislature, and it threatened legislative power because it introduced uncertainties of statutory meaning resolvable only in court.[55]

Scalia also argued for insuring careful congressional policy making through the application of the nondelegation doctrine. Like Chief Justice Rehnquist, he wants to revitalize this doctrine; however, he does not just see the doctrine as a way of decreasing the powers given bureaus by Congress. Instead, he views loose delegation as a source of all sorts of discretionary bureaucratic choices that generate litigation and allow judicial intervention and oversight of executive responsibilities.[56]

Despite his emphasis on political control of agency authority, Scalia has not supported direct public participation or interest representation in policy formation or implementation. In reading the Administrative Procedure Act, he narrowly construed provisions allowing participation by private parties. He was reluctant to interpret the Freedom of Information Act to open agency records to public scrutiny unless clear statutory language permitted it.[57] He encouraged reading the Freedom of Information Act as a means of informing the public about agency action rather than as a way of insuring personalized inquiries into official action.[58] He contends that discoveries of official misdeeds, unvirtuous action, and "the major exposés of recent times . . . are primarily the product of institutionalized checks and balances within our system of representative democracy."[59] He rejects the thesis that the "first line of defense against an arbitrary executive is do-it-yourself oversight by the public, and its surrogate, the press."[60]

Besides restricting public opportunities to challenge agency rulemaking, Scalia has often expressed hostility to nontraditional forms of participation. He is on record as opposing free public access to electronic media.[61] He wrote a significant dissent to a Court of Appeals decision that extended freedom of speech to demonstrators conducting a sleep-in in a public park.[62] Therefore, varieties of pluralistic

[55] Antonin Scalia, "Letter to Congressman John Dingell," 23 May 1974, quoted in Marshall Breger, "The APA: An Administrative Conference Perspective," *Virginia Law Review* 72 (March 1986): 344–345; Scalia, "Two Wrongs," 38–41. See Nagareda, "Appellate Jurisprudence," 715–725, for a critique of this approach.

[56] Scalia, "Vermont Yankee," 388–400; Antonin Scalia, "A Note on the Benzene Case," *Regulation* 4 (July-August 1980): 25–28.

[57] Antonin Scalia, "The Freedom of Information Act Has No Clothes," *Regulation* 6 (March-April 1982): 14–19; U.S. Senate, Confirmation Hearing, 1982, 91; *Washington Post v. Department of Health and Human Services*, 795 F.2d 205 (D.C. Cir. 1986); *Church of Scientology of California v. IRS*, 792 F.2d 146, 153 (D.C. Cir. 1986), *aff'd.* 108 S.Ct. 271 (1987); *Shaw v. FBI*, 749 F.2d 58 (D.C. Cir. 1984); *Ryan v. Bureau of Alcohol, Tobacco, and Firearms*, 715 F.2d 664 (D.C. Cir. 1983); *Arieff v. Department of the Navy*, 712 F. 2d 1462 (D.C. Cir. 1983), 57.

[58] *United States Dept. of Justice v. Julian*, 108 S.Ct. 1606, 1614–9 (1988) (Scalia, J., dissenting).

[59] Scalia, "The Freedom of Information Act," 19.

[60] Ibid., 19.

[61] Antonin Scalia, "Don't Go Near the Water," *Federal Communications Bar Journal* 25 (1972): 118–119.

[62] *Community for Creative Non-Violence v. Watt*, 703 F.2d 1586, 622–627 (D.C. Cir. 1983) (Scalia, J., dissenting).

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political conflict restricting policy making by experts and elected leaders do not fit into his democratic vision.[63]

Market Economics

The third standard of Scalia's approach to constitutional interpretation is a belief in the moralizing effect of the market. Derived from Adam Smith, the principle holds that the market is not morally corrupting, its anti-egalitarian results are natural, and markets teach people the virtues of labor, thrift, and fair dealing.[64] Markets are to be trusted, and economic liberty is to be protected against arbitrary governmental action.

Table 8 reports the votes of the justices on one aspect of economic regulation and redistribution, the Fifth Amendment takings clause cases of the 1986 and 1987 terms. The number of cases is very small, but Scalia was the justice least supportive of uncompensated governmental redistribution or taking of property. In an opinion on the takings clause during the 1986 term, Scalia sought to restrict public seizures of private property as part of an effort to redistribute resources. He refused to allow California to condition the granting of a permit for rebuilding a house on private land upon a grant to the public of access across private property to a public beach. The easement demanded compensation because a property interest was taken by the state. The regulation of beach access was not deemed a valid exercise of a state's police power unless compensation was offered.[65] Also, he supported the claims of landlords in a dispute over a rent control ordinance. The ordinance permitted city officials to adjust rent controls and keep rents below a reasonable rate of return for buildings in which "hardship" renters lived. Scalia argued the practice violated the takings clause because of the lack of procedural uniformity in the establishment of restriction on income and the penalization of selected landlords without compensation.[66]

However, Scalia has allowed regulation of the market through "reasonable" standards established by constitutional lawmakers. Economic regulation is acceptable to him when it is the product of the operation of representative politics. Although the Constitution does not protect substantive economic liberty and although there is no widely shared "constitutional ethos" favoring unregulated markets and absolute freedom in the use of private property, Scalia believes that legislative intervention in markets should be limited to coercive rules.[67] He has not favored the use of governmental largess, grants, subsidies, and other awards to influence market

[63] See Nagareda, "Appellate Jurisprudence," 715–720.

[64] Albert O. Hirschman, "Rival Interpretations of Market Society," *Journal of Economic Literature* 20 (December 1982): 1463–1484, fully defines the moralizing concept.

[65] *Nollan v. California Coastal Commission*, 107 S.Ct. 3141 (1987).

[66] *Pennell v. City of San Jose*, 108 S.Ct. 849, 859–864 (1988) (Scalia, J., conc. & dissenting).

[67] Antonin Scalia, "Economic Affairs as Human Affairs," *Cato Journal* 4 (Winter 1985): 707–709.

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TABLE 8

*Votes of the Justices in Taking Clause Cases, 1986–87 Terms, Ranked by Approval for Governmental Taking in Numbers of Cases**

Justice	*Favor Taking*	*Disapprove Taking*	*Non-Participating*
Blackmun	5	1	0
Stevens	5	1	0
Brennan	4	2	0
Marshall	4	2	0
White	3	3	0
Court average	3	3	0
O'Connor	2	4	0
Rehnquist	2	4	0
Powell	1	4	1
Scalia	1	5	0
Kennedy	0	0	1

* Number = 6.

behavior.[68] Consequently, agency supervision of markets should be restricted by precise statutes. Just as he fears administrative discretion in market supervision, he remains skeptical of the judicial ability both to define the economic liberty of market participants in a "sensible" fashion and to craft economic policy that is fair and reasonable.[69]

Rights Issues

A fourth standard of constitutional interpretation is Scalia's belief that the government should support the majority consensus on what constitutes the good life. He believes that the community, through the legislative and administrative processes, can best define rights. For example, in a Court of Appeals decision, he upheld a Department of Justice classification of three Canadian films as political propaganda and a statutory requirement that the department be informed of showings of the films. Because the statute required the reporting, because there was no prior-restraint violation of freedom of the press precedents, and because it was desirable to inform the public of the "scope and effect of the agent's propagandizing effort," the government could require information on presentation of the film. Government thus could promote or disparage ideas for the community good if it had a statutory basis, a legal form of community approval, for so doing.[70] Scalia's

[68] Antonin Scalia, "Guadalajora: A Case Study in Regulation by Munificence," *Regulation* 2 (March-April 1978): 23–29.

[69] Scalia, "Economic Affairs," 706–707.

[70] *Block v. Meese*, 793 F. 2d 1303, 1314–1318 (D.C. Cir. 1986), *aff'd. Meese v. Keene*, 107 S.Ct. 1862 (1987). See also Nagareda, "Appellate Jurisprudence," 737–738.

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TABLE 9

Votes of Justices in Cases Involving Rights Issues, 1986–1987 Terms, Ranked by Support for Rights Claim in Percentages (number of participations in parentheses)

Justice	*Favor Free Expression*	*Justice*	*Favor Rights of Defendent*	*Justice*	*Favor Claim of Equality*
Brennan	95.7 (23)	Brennan	90.8 (76)	Brennan	88.0 (25)
Marshall	95.7 (23)	Marshall	88.3 (77)	Marshall	88.0 (25)
Blackmun	78.3 (23)	Stevens	67.5 (77)	Blackmun	84.0 (25)
Powell	54.5 (11)	Blackmun	59.7 (77)	Stevens	79.2 (25)
Stevens	52.2 (23)	Kennedy	33.3 (18)	White	48.0 (25)
Kennedy	50.0 (6)	Powell	27.1 (48)	Powell	41.7 (12)
Scalia	40.9 (22)	Scalia	23.4 (77)	O'Connor	37.5 (24)
White	34.8 (23)	Whtie	22.4 (76)	Kennedy	33.0 (6)
O'Connor	30.4 (23)	O'Connor	22.1 (77)	Rehnquist	32.0 (25)
Rehnquist	13.6 (22)	Rehnquist	14.3 (77)	Scalia	32.0 (25)

commitment to this conception of rights appears in his decisions on all rights issues—the First Amendment, criminal due process, and equal protection.

Table 9 presents the voting behavior of the justices on rights issues during the 1986 and 1987 terms. The number of cases is small, even though the votes for both terms are combined to offer a stronger indication of the positions of the justices. Nevertheless, it is clear that the division within the Court on First Amendment issues was extreme. Scalia was less supportive of expressive rights claims against the government than five of the justices. But his hostility to these claims is not as extreme as that of White, O'Connor, and Rehnquist.

In his First Amendment opinions, Scalia usually wrote in support of the regulation of expressive conduct by the government. For the Court of Appeals, Scalia's dissent in *Community for Creative Non-Violence v. Watt* contained a refusal to extend speech-plus First Amendment doctrine to allow a sleep-in by protesters in a Washington, D.C. park. Not only did Scalia indicate an unwillingness to apply precedents to a new form of protest, but he evoked unhappiness with this use of rights as an impediment of the regulatory power of government. Therefore, he upheld the application of uniform time, place, and manner rules established by informed administrators to prevent the expressive sleep-in.[71]

His opinions for the Supreme Court continued his Court of Appeals pattern of preferring community interests to challenging parties' claims. Examples include his dissenting opinion in the Connecticut primary election case. For the majority Justice Thurgood Marshall held that the state's closed primary law violated the

[71] *Community for Creative Non-Violence v. Watt*, 703 F.2d 586, 622–7 (D.C. Cir. 1983) (Scalia, J., dissenting). The Supreme Court reversed the D.C. Cir. and agreed with Scalia, *Clark v. Community for Creative Non-Violence*, 468 U.S. 288 (1984). See also Nagareda, "Appellate Jurisprudence," 733–737.

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First Amendment freedom of association of independent voters. Scalia, with a bite often found in his dissents, contended the ruling exceeded "the permissable limit of First Amendment restrictions upon the state's ordering of elections," exaggerated the importance of the associational interest at issue, "if indeed it [saw] one where none exists," and extended the protection of freedom of association to "fanciful" bonds and "casual contacts."[72] Scalia's restricted interpretation of First Amendment protections also appeared in his dissent in *Rankin v. McPherson.* The majority opinion by Marshall held that a police administrator violated the expression rights of a deputy constable by firing the officer after the officer suggested a need to shoot President Reagan. He found that the speech was on a public concern and that the expressive right of the officer outweighed the need of the department to control it. Scalia argued that the dismissal was proper, because the statement lacked political content, was not on a matter of public concern, and expressed approval of a serious crime. Also, even if the statement had been on a matter of public concern, he believed the expression could be regulated because its irresponsible nature threatened the reputation and *esprit-de-corps* of the department.[73] Finally, Scalia defended narrowly tailored restrictions on speech during charitable solicitations if they prevented fraud.[74]

In freedom of the press issues Scalia dissented when the majority struck down an Arkansas sales tax on selected magazines as a violation of the First Amendment. He believed the lack of a tax on some magazines was a reasonable state subsidy of expression similar to aid to nonprofit groups and one without a coercive effect on the taxed magazines.[75] His concurring opinion in a case involving the application of the *Miller v. California* obscenity test contained language indicating a desire to reexamine *Miller* and eliminate the prong of its test requiring judicial examination of the "literary, artistic, political, or scientific value" of a publication.[76] He did not indicate the content of a new approach.[77] Finally, in a Court of Appeals dissent on libel law, he indicated he would allow private citizens greater ability to curtail publications that violate norms of truth telling and that denigrate the enlightened discussion of politics in the interest of the community.[78] In this case and other free press cases, he rejected judicial inference of more extensive press liberties.[79]

Scalia's only establishment clause decision was a dissenting opinion that favored

[72] *Tashjian v. Republican Party of Connecticut*, 107 S.Ct. 544, 559–560 (1986) (Scalia, J., dissenting).

[73] *Rankin v. McPherson*, 107 S.Ct. 2891, 2901–2906 (1987) (Scalia, J., dissenting).

[74] *Riley v. National Federation of the Blind of North Carolina*, 108 S.Ct. 2667, 2681 (1988) (Scalia, J., conc.).

[75] *Arkansas Writers Project v. Ragland*, 107 S.Ct. 1722, 1730–1732 (1987) (Scalia, J., dissenting).

[76] *Miller v. California*, 413 U.S. 15 (1973).

[77] *Pope v. Illinois*, 107 S.Ct. 1918, 1923 (1987) (Scalia, J., conc.).

[78] *Ollman v. Evans*, 750 F.2d 970, 1038–1039 (D.C. Cir. 1984) (Scalia, J., dissenting). See also *Liberty Lobby v. Anderson*, 746 F.2d 1563 (D.C. Cir. 1984).

[79] See *In re Reporters Comm. for Freedom of the Press*, 773 F.2d 1325 (D.C. Cir. 1985); Nagareda, "Appellate Jurisprudence," 726–733.

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the constitutionality of a creation science education law enacted by the Louisiana state legislature. He applied the establishment of religion test developed in *Lemon v. Kurtzman*,[80] as did the majority opinion of Justice William Brennan, but to a different conclusion. By reference to the arguments of counsel, Scalia found the act did not advance a religious belief and only accommodated a theory of creation, which the state legislature determined had some potential scientific value. He also found the statute had a secular purpose by allowing students to learn alternative theories of creation. He further argued that the First Amendment allowed the government sometimes to advance religion as it accommodated diverse values in the school curriculum.[81]

Table 9 presents the voting behavior of the justices in cases involving criminal due process claims and the interpretation of criminal statutes during the 1986 and 1987 terms. Scalia favored the government over the defendant in 76.6 percent of the cases. He joined Powell, O'Connor, White, and Rehnquist as the justices most in opposition to rights claims by criminal defendants.

Scalia had not written many criminal due process opinions while on the Court of Appeals, where he was not willing to enhance the rights of criminal defendants, especially with regard to psychiatric treatment and defenses.[82] Indeed, in a dissent in a double jeopardy case, he feared further relief for the defendant would cause the "erosion" of "public safety needs."[83] When he reached the Supreme Court he surprised some who envisioned him to be a strongly pro-prosecution justice with an occasional confounding opinion. In *Arizona v. Hicks* his opinion on the necessity for probable cause for the movement of equipment to permit the inspection of the serial number of an item in plain view clarified the meaning of the *Coolidge v. New Hampshire* ruling.[84] It was criticized in dissents by O'Connor and Powell, and joined by Rehnquist. Yet, he did allow the search of the home of a probationer under a Wisconsin law establishing grounds to conduct a "reasonable search" for evidence of probation violations. Scalia ruled that probable cause was not necessary to search in circumstances in which the state had determined there were "special needs" for searching a probationer's home to insure the effective operation of the probation system.[85] Also, he permitted a search of premises with a warrant even though the premises had earlier been searched illegally by police.[86]

In confrontation clause cases involving the admission of the confessions of codefendants, Scalia wrote for Rehnquist, White, Blackmun, Powell, and O'Connor to support the admissability of a confession confirming the codefendants' criminal acts in a felony murder rule case when the circumstances protected the name of

[80] *Lemon v. Kurtzman*, 403 U.S. 602 (1971).

[81] *Edwards v. Aguillard*, 107 S.Ct. 2573, 2591–2607 (1987) (Scalia, J., dissenting).

[82] In *re Sealed Case*, 791 F.2d 179 (D.C. Cir. 1986); *U.S. v. Cohen*, 733 F.2d 138 (D.C. Cir. 1984); *U.S. v. Byers*, 740 F.2d 1104 (D.C. Cir. 1984).

[83] *U.S. v. Richardson*, 702 F.2d 1079, 1094 (D.C. Cir. 1983) (Scalia, J., dissenting).

[84] *Arizona v. Hicks*, 107 S.Ct. 1149 (1987). Compare *Coolidge v. New Hampshire*, 403 U.S. 443 (1971).

[85] *Griffin v. Wisconsin*, 107 S.Ct. 3164 (1987).

[86] *Murray v. United States*, 108 S.Ct. 2510 (1988).

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the confessing defendant.[87] He permitted the introduction of out-of-court identifications as evidence at trial.[88] But in another confrontation clause case he wrote for Brennan, Marshall, Blackmun, and Powell to insure the defendant would be protected against the introduction of a codefendant's confession at their joint trial if the confession was inadmissable against the codefendant.[89] He also prohibited the screening of a child witness from an alleged sex offender during a trial because of confrontation clause standards.[90]

In *Gray v. Mississippi*, Scalia dissented from a majority ruling that permitted jurors opposed to the death penalty to be seated in a capital case.[91] Yet, he also argued in dissent in another case that a state could present a victim impact statement as evidence during the penalty phase of a capital case. He contended that the exclusion of the statement helped the jury determine the degree of harm as well as the moral guilt of the defendant; and the exclusion of the statement made the penalty phase one-sided and violative of due process.[92] Finally, he dissented from the Court's refusal to impose the death penalty on a juvenile, contending that the majority had failed to provide an historical or rational basis for claiming the penalty violated a national consensus against the penalty. He believed that the state jury had given careful consideration to social and moral factors before imposing the penalty.[93]

Table 9 also presents the votes of the justices of the Supreme Court on equality issues during the 1986 and 1987 terms. Because the issue of equality now includes cases arising under federal and state civil rights laws as well as under the Equal Protection Clause, the table counts all votes on equality matters before the Court. Despite the broad definition of equality, the number of cases still remains small. Nevertheless, Scalia ranked last among the justices, in a tie with Rehnquist, in support for equality claims.

In his only Supreme Court opinion on affirmative action programs, Scalia dissented in *Johnson v. Transportation Agency*. Drawing on the tenor of the language and the themes of one of his law review articles,[94] he launched into a dissenting opinion condemning the entire affirmative action concept. He argued the majority opinion continued support for "state-enforced discrimination" by ignoring both the holding of *United Steelworkers v. Weber*[95] and the language and intentions of Title VII. In concluding his argument he lashed the majority for converting a civil rights law into "a powerful engine of racism and sexism" and for

[87] *Richardson v. Marsh*, 107 S.Ct. 1702 (1987).
[88] *U.S. v. Owens*, 108 S.Ct. 838 (1988).
[89] *Cruz v. New York*, 107 S.Ct. 1714 (1987).
[90] *Coy v. Iowa*, 108 S.Ct. 2798 (1988).
[91] *Gray v. Mississippi*, 107 S.Ct. 2045, 2059–2062 (1987) (Scalia, J., dissenting).
[92] *Booth v. Maryland*, 107 S.Ct. 2529, 2541–2542 (1987) (Scalia, J., dissenting).
[93] *Thompson v. Oklahoma*, 108 S.Ct. 2687, 2711–22 (1988) (Scalia, J., dissenting).
[94] Antonin Scalia, "The Disease as the Cure," *Washington University Law Quarterly* (Winter 1979): 147–157.
[95] *United Steelworkers of America v. Weber*, 443 U.S. 193 (1979).

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causing persons like Johnson, whose desires were adversely affected by the plan, to suffer injustice "at the hands of a Court fond of thinking itself the champion of the politically impotent."[96]

Using a rational basis test, Scalia did agree with the Supreme Court that discrimination by private clubs can be regulated by state laws.[97] He has been critical of at least one judicial effort to eliminate racial discrimination. On the Court of Appeals, in *Carter v. Duncan-Huggins* his dissent urged the court not to find a violation of civil rights laws before they had acquired evidence of intentional racial discrimination.[98] He clearly wanted to keep the court out of the business of promoting equality unless it had strong evidence of a violation of statutes.

The lesson of the rights decisions is that Scalia does not want rights to threaten the traditions and security of the political order, especially by decisions advancing political equality. He is unwilling to allow rights to be used to induce diversity and fracture or mislead community sentiment. To curtail community discord, Scalia suggests that legislatures should act and courts should moderate their role in the development of legal standards to resolve rights controversies. The bounds of rights are to be set primarily by the majority of the people's representatives.

Federalism

A final standard of constitutional interpretation is Scalia's belief that the national majority should respect the choices of leaders selected by state or local majorities. In his confirmation hearings he made statements in favor of an important role for the states in constitutional government.[99] Yet in his only lengthy statement on federalism, Scalia indicated that the federal government can be "a legitimate and useful instrument of policy." He also noted an "unfortunate" tendency of conservatives to see federal power as something to be resisted or undone.[100]

Table 10 reports the voting of the Court in cases involving federalism issues during the 1986 and 1987 terms. Scalia ranked sixth among the ten justices in his support for the claims of the federal government over the state governments. He was not as sympathetic to the claims of the states in these cases as were the other appointees of the Reagan administration.

Scalia, favorable to some exercises of federal power as indicated by his *Granite Rock* dissent and his vote in *South Dakota v. Dole*,[101] did offer "solicitude" of

[96] *Johnson v. Transportation Agency, Santa Clara County*, 107 S.Ct. 1442, 1465–1476 (1987) (Scalia, J., dissenting).

[97] *New York Club Association, Inc. v. City of New York*, 108 S.Ct. 2225, 2238 (1988) (Scalia, J., conc.).

[98] *Carter v. Duncan-Huggins*, 727 F.2d 1225, 1244–1247 (D.C. Cir. 1984) (Scalia, J., dissenting). Compare to *Toney v. Block*, 705 F.2d 1364 (D.C. Cir. 1983).

[99] U.S. Senate, Confirmation Hearing, 1982, 92.

[100] Antonin Scalia, "The Two Faces of Federalism," *Harvard Journal of Law and Public Policy* 6 (special issue, 1982): 22.

[101] *California Coastal Commission v. Granite Rock Co.*, 107 S.Ct. 1419 (1987) (Scalia, J., dissenting); *South Dakota v. Dole*, 107 S.Ct. 2793 (1987).

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TABLE 10

Votes of the Justices Involving Federalism and Preemption Issues, 1986–1987 Terms, Ranked by Preference of Federal Authority in Percentages (number of participations in parentheses)

Justice	Support Federal Authority
White	76.6 (47)
Stevens	72.3 (47)
Marshall	66.0 (47)
Powell	65.6 (32)
Blackmun	65.2 (46)
Scalia	63.8 (47)
Brennan	61.7 (47)
Kennedy	60.0 (8)
Rehnquist	55.3 (47)
O'Connor	55.3 (47)

state prerogatives in an opinion validating state income evaluation guidelines applied under the federally funded welfare program.[102] His federalism thus rests on the concept of federal supremacy, but he does not think federal supremacy should encroach on all state powers.[103] For example, in an interpretation of the commerce clause, his concurring and dissenting opinion argued that federal law and the commerce clause did not prevent a state from imposing regulations on the sale of stock and the merger of corporations it had chartered when the state did not discriminate against out-of-state interests.[104] Scalia also wanted greater congressional clarification of the federal and state roles in commerce clause matters.[105] He wrote a dissenting opinion favoring state legislative taxing of interstate trucking.[106] Finally, he has supported the application of state law rather than federal judicially-created standards on forum selection when federal statutes were silent on venue.[107]

Scalia and Approaches to Constitutional Interpretation

What kind of conservative is Antonin Scalia? His selection satisfied the desire of an avowed conservative administration that wanted judges supportive of changes

[102] *Lukhard v. Reed*, 107 S.Ct. 1807 (1987); compare Scalia, "Two Faces," 19–22.

[103] *South Carolina v. Baker*, 108 S.Ct. 1355, 1369 (1988) (Scalia, J., conc.). He thus agrees with a narrow reading of the statements of the Court in *FERC v. Mississippi*, 456 U.S. 742 (1982) and with the dissenters in *Garcia v. San Antonio Municipal Trans. Auth.*, 468 U.S. 528 (1985). Compare his opinion in *Boyle v. United Technologies Corp.*, 108 S.Ct. 2510 (1988).

[104] *CTS Corp. v. Dynamics Corp. of America*, 107 S.Ct. 1637, 1652–1653 (1987) (Scalia, J., conc. & dissenting).

[105] *Bendix Autolite Corp. v. Midwesco Enterprises, Inc.*, 108 S.Ct. 2218, 2223–4 (1988) (Scalia, J., conc.).

[106] *Tyler Pipe Industries v. Washington State Department of Revenue*, 107 S.Ct. 2810, 2823–2829 (1987) (Scalia, J.); *American Trucking Associations v. Scheiner*, 107 S.Ct. 2829, 2851–2852 (1987) (Scalia, J., dissenting).

[107] *Stewart Organization, Inc. v. Ricoh Corp.*, 108 S.Ct. 2239, 2245–9 (1988) (Scalia, J., dissenting).

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in administrative law doctrine and that was inclined to avoid rights controversies and the extension of rights opposing majority values. Thus, Scalia was a conservative in the eyes of most political commentators because of his votes and opinions that contain a repudiation of the political vision of Warren Court liberalism.

Originating in Justice Harlan Stone's *Carolene Products* footnote, this vision suggests that opportunistic or factional politics can be prevented by competition among diverse factions or interests. The vision matured into Earl Warren's proposition that American constitutional politics could continue to exist only if there is cooperation among equals.[108] It is now defended by Justices Brennan and Marshall and some legal scholars.[109] This proposition, far different from Scalia's central proposition about the nature of American constitutional government, assumes that political leaders should not adopt policies or practices that fail to treat people with equal dignity and respect or that prevent persons from participating in political decision making.[110] Scalia also differs with the standards of constitutional interpretation supporting the central proposition offered by Warren Court liberalism. Standards he rejects include the belief that the Supreme Court has to foster cooperative relations among equals[111] and that all institutions of government should be open to equal and active public participation and oversight.[112] He rejects the Warren Court liberals' skepticism of markets.[113] Finally, he rejects the Warren Court liberals' belief that government must be neutral in defining rights to choose modes of political, moral, and religious expression. Scalia, in contrast, remains a balancer of community needs for order and political stability against a narrowly defined purpose for rights. Thus he rejects the Warren Court liberal belief that rights serve

[108] *Brown v. Board of Education*, 347 U.S. 483, 494 (1954); *Reynolds v. Sims*, 377 U.S. 533, 565 (1964).

[109] Warren Court liberalism is an effort to provide a standard definition of the values of a group of like-minded judges and legal scholars. This theory has distinctive variants, like the natural rights liberalism of Justice William Douglas. It is distinctive from the historical positivism of Justice Hugo Black. See Martin Edelman, *Democratic Theories and the Constitution* (Albany: State University of New York Press, 1984), 121–208, 245–288.

[110] *Miranda v. Arizona*, 384 U.S. 436, 458–466 (1966); Ronald Dworkin, *A Matter of Principle* (Cambridge, Mass.: Harvard University Press, 1985), 205–213.

[111] Ronald Dworkin, *Taking Rights Seriously* (Cambridge, Mass.: Harvard University Press, 1978), 131–149; William J. Brennan, Jr., "The Fourteenth Amendment," address to Section on Individual Rights and Responsibilities, American Bar Association, New York University Law School, 8 August 1986, 2, 6–8, 12, 17; Lawrence H. Tribe, *Constitutional Choices* (Cambridge, Mass.: Harvard University Press, 1985), 9–20.

[112] Dworkin, *Matter of Principle*, 211–213; *Greene v. McElroy*, 360 U.S. 474 (1959); *Cafeteria Workers v. McElroy*, 367 U.S. 886, 889–902 (1962) (Brennan, J., dissenting); *Goldberg v. Kelly*, 397 U.S. 254 (1970); *Bishop v. Wood*, 426 U.S. 341, 350–361 (1976) (Brennan, J., dissenting).

[113] Dworkin, *Matter of Principle*, 206–208; Tribe, *Constitutional Choices*, 165–187; Ronald Dworkin, "Is Wealth a Value?" *Journal of Legal Studies* 9 (March 1980): 191–226. See Warren's views in *Fibreboard Paper Products v. NLRB*, 379 U.S. 203 (1964); *NLRB v. Great Dane Trailers*, 388 U.S. 26 (1967); *Brown Shoe Co. v. U.S.*, 370 U.S. 294 (1961); *FTC v. Fred Meyer, Inc.*, 390 U.S. 341 (1968); *U.S. v. du Pont and Co.*, 351 U.S. 377, 414–426 (1956) (Warren, J., dissenting). See also *Dandridge v. Williams*, 397 U.S. 471 (1970) (Marshall, J., dissenting).

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as a trump card against the efforts of leaders or a majority to enforce a definition of the good life.[114]

If Scalia is not a Warren Court liberal, neither are his values in tune with some of the other brands of conservatism found in the Reagan political coalition. Scalia is not a member of the evangelical religious right whose primary political proposition is that constitutional governance should rest on moral principles identical to those discernible by a literal reading of selected biblical passages. Scalia does not appear to be a devotee of neo-Aristotelian or neo-Thomist natural rights theories. Although these ideas have influenced scholars like Judge John T. Noonan, Jr. of the Ninth Circuit, their language is absent in Scalia's writing. He does not give voice to the belief that constitutional governance should rest on the moral principles of natural law or any other abstract moral philosophy.[115] Although Scalia had contact at AEI and the University of Chicago with the proponents of the economic analysis of law, little of their concepts appears in his writings. He makes no reference to their belief that constitutional governance should be based on the maximization of the wealth of individual citizens.[116] Scalia, finally, gives no evidence of supporting the view of Attorney General Edwin Meese III who defends a historical approach to constitutional interpretation based on the belief that constitutional governance rests on loyalty to a literal reading of the original intention of the Constitution and its amendments.[117]

[114] Ronald Dworkin, "Liberalism," in Stuart Hampshire, ed., *Public and Private Morality* (Cambridge, England: Cambridge University Press, 1978), 127–136. See also Dworkin, *Taking Rights Seriously*, 266–278; *Cox v. Louisiana*, 379 U.S. 536 (1965); *Abington Township v. Schempp*, 374 U.S. 203 (1963) (Brennan, J., conc.); *Sherbert v. Verner*, 374 U.S. 398 (1963); *Griswold v. Connecticut*, 381 U.S. 479, 487–499 (1965) (Goldberg, J., conc.); *Paul v. Davis*, 424 U.S. 693, 714–735 (1976) (Brennan, J., dissenting).

[115] John T. Noonan, Jr., "The Root and Branch of *Roe v. Wade*," *Nebraska Law Review* 63 (1984): 668–679, effectively summarizes his principles. See also John T. Noonan, Jr., *The Antelope* (Berkeley: University of California Press, 1977), 158–159; John T. Noonan, Jr., *Persons and Masks of the Law* (New York: Farrar, Straus, Giroux, 1976), 152–167, on the natural worth of persons. Compare to Scalia, "Morality, Pragmatism," 123–127.

[116] Richard A. Posner, *The Economics of Justice* (Cambridge, Mass.: Harvard University Press, 1981), 48–115, best states the principle. See also Richard A. Posner, *Economic Analysis of Law*, 2d ed. (Boston: Little, Brown, 1977), 3, 10, 13, 341–359; Richard A. Posner, "Wealth Maximization Revisited," *Journal of Law, Ethics, and Public Policy* 2 (Fall 1985): 85–105; Richard A. Posner, "Free Speech in an Economic Perspective," *Suffolk Law Review* 20 (Spring 1986): 1–54; Richard A. Posner, "Legal Formalism, Legal Realism, and the Interpretation of Statutes and the Constitution," *Case Western Reserve Law Review* 37 (1986–7): 179; Frank H. Easterbrook, "Criminal Procedure as a Market System," *Journal of Legal Studies* 12 (June 1983): 289–332; Frank H. Easterbrook, "Ways of Criticizing the Court," *Harvard Law Review* 95 (February 1981): 802–832. Compare Scalia, "Morality, Pragmatism," 123–127; Scalia, "Economic Affairs," 706. Scalia's one use of economic analysis is an antitrust case, *Business Electronic Corp. v. Sharp Electronics Corp.*, 108 S.Ct. 1515 (1988).

[117] Antonin Scalia, "Originalism: The Lesser Evil," *University of Cincinnati Law Review* 57 (1989): 856–864. Compare Edwin Meese III, "The Battle for the Constitution," *Policy Review* 35 (Winter 1986): 34–35; Edwin Meese III, "Our Constitution's Design," *Marquette Law Review* 70 (Spring 1987): 381; Edwin Meese III, "The Attorney General's View of the Supreme Court," *Public Administration Review* 45 (November 1985): 701; Edwin Meese III, "The Supreme Court of the United States," *South*

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Scalia and the Tradition of Frankfurter, Landis, and Bickel

Scalia's political ideas and standards for constitutional interpretation actually modify and extend the propositions about American government propounded by Felix Frankfurter, his former law clerk Alexander Bickel, and his student, James Landis. These scholars believed, like Scalia does, in the central proposition that constitutional government must be directed by expert leaders. Frankfurter expounded on this view, stating: "Our scheme of society is more dependent than any other form of government on knowledge and wisdom and self-discipline for the achievement of its aims."[118] Landis applauded the development of a professional administrative process with the hope "that policies . . . could most adequately be developed by men bred to the facts" rather than the "casual office-seeker."[119] Bickel, fearful of "unvarnished populism" and unrestrained majorities, desired leaders who induce political stability, for "masses of people do not make clear-cut, long-range decisions. They do not know enough about the issues, about themselves, their needs and wishes, or about what those needs and wishes will appear to them to be two months hence."[120] Landis contended that the administrative process would "fill the need for expertness" that legislatures and courts lacked.[121] These men believed that experts schooled in science and scientific management should set the policy agenda along a single, best course and then implement policy with the discretion to adjust it to new problems.[122] Scalia's policy choices confirm and extend this standard of constitutional interpretation by attempting to free the president from external constraints (as in the special prosecutor case), by affirming presidential direction of agency discretion, and by defending the discretion of the agencies in the interpretation of statutes.

Frankfurter and his associates encouraged judicial restraint in constitutional interpretation. For Frankfurter, checking and balancing of the other branches by the Court was to be confined to rare instances of the breach of specific constitu-

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Texas Law Review 27 (Fall 1986): 455; and Edwin Meese III, "The Law of the Constitution," *Tulane Law Review* 61 (April 1987): 979. Besides not agreeing with Meese, Scalia is not an authoritarian centralist who would deny democratic participation to selected groups and use political institutions to enforce specific patterns of social behavior. Also, his deference to legislative economic policy making and his refusal to adopt a strong protective stance on both economic and personal rights sets him apart from libertarians. Compare Scalia, "Economic Affairs" to Edward H. Crane, "Judicial Activism and Economic Liberty," *Cato Policy Report* 8 (November-December 1986): 2–3; and Steven Macedo, *The New Right and the Constitution* (Washington, D.C.: Cato Institute, 1986); and see the discussion in Richard A. Brisbin, Jr., "Conservation Jurisprudence in the Reagan Era," *Cumberland Law Review* 19 (1988–1989): 497–537.

[118] *Youngstown Sheet and Tube Co. v. Sawyer*, 343 U.S. 579, 593 (1952) (Frankfurter, J., conc.); see also Edelman, *Democratic Theories*, 74–5, 94, 114–20, for an elaboration of this idea.

[119] James M. Landis, *The Administrative Process* (New Haven: Yale University Press, 1938), 154–155.

[120] Alexander M. Bickel, *The Morality of Consent* (New Haven: Yale University Press, 1975), 16.

[121] Landis, *Administrative Process*, 24, 30–31.

[122] *U.S. v. Morgan*, 313 U.S. 409 (1941); *Scripps Howard Radio v. FCC*, 316 U.S. 4 (1942); *SEC v. Chenery Corp.*, 318 U.S. 80 (1943); *Joint Anti-Fascist Refugee Committee v. McGrath*, 341 U.S. 123, 165–174 (1951) (Frankfurter, J., conc.).

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tional rules or clear statutory language[123] and to grievous misconduct that offended the sense of justice embodied in constitutional provisions.[124] He wrote, "Courts are not representative bodies. They are not designed to be a good reflex of a democratic society. Their judgment is best informed, and therefore most defendable, within the narrow limits. Their essential quality is detachment, founded on independence."[125] To insure the courts did not act in a fashion that threatened the policy choices of virtuous leaders, Frankfurter and Bickel proposed that courts rely on the "passive virtues." "Reliance for the most precious interests of civilization . . . must be found outside of their vindication in courts of law. Only a persistent positive translation of the faith of a free society into the convictions and habits and actions of a community is the ultimate reliance against unabated temptations to fetter the human spirit."[126] Scalia is an ardent defender and elaborator of the judicial restraint and passive virtues discussed by Bickel and Frankfurter.

For the scholars of this tradition of constitutional interpretation, hard policy choices are the province of elected leaders.[127] They did not exclude participation from their vision of the constitutional system, but Frankfurter feared civic lethargy, demagoguery, and corrupting factional interests.[128] Because this tradition holds that the choices of experts and leaders should not be easily challenged by groups or private parties, courts do not need to open administrative actions to participation or legal intervention by groups and private parties.[129] Courts must refrain from permitting interests to question executive policy preferences.[130] Scalia, in his

[123] *Youngstown Sheet and Tube Co. v. Sawyer*, 343 U.S. 579, 593–614 (1952) (Frankfurter, J., conc.); *Terry v. Adams*, 345 U.S. 461, 472–477 (1953); *Gomillion v. Lightfoot*, 364 U.S. 334, 346–348 (1960).

[124] *Colegrove v. Green*, 328 U.S. 549, 556 (1946); see also *Rochin v. California*, 342 U.S. 165, 172–173 (1952).

[125] *Dennis v. U.S.*, 342 U.S. 494, 525 (1950) (Frankfurter, J., conc.). Compare *West Virginia State Bd. of Education v. Barnette*, 319 U.S. 624, 651–652 (1943) (Frankfurter, J., dissenting); *Baker v. Carr*, 369 U.S. 186, 280–297 (1962) (Frankfurter, J., dissenting); Alexander M. Bickel, *The Supreme Court and the Idea of Progress* (New York: Harper and Row, 1970), 99, 175.

[126] *West Virginia State Bd. of Education v. Barnette*, 319 U.S. 624, 670–671 (1943) (Frankfurter, J., dissenting). Compare Alexander M. Bickel, *The Least Dangerous Branch* (Indianapolis: Bobbs-Merrill Co., 1962), 111–198; Bickel, *Idea of Progress*, 81–88. See also Frankfurter's support for passivity in, *Coleman v. Miller*, 307 U.S. 433, 460–470 (1939) (opinion of Frankfurter, J.); *Colegrove v. Green*, 328 U.S. 549–556 (1946); *Joint Anti-Fascist Refugee Committee v. McGrath*, 341 U.S. 123, 149–160 (1951) (Frankfurter, J., conc.); *U.S. v. United Auto Workers*, 352 U.S. 567–593 (1957); *Burns v. Ohio*, 360 U.S. 252, 259–263 (1959) (Frankfurter, J., dissenting); *Poe v. Ullman*, 367 U.S. 497–509 (1961); *Baker v. Carr*, 369 U.S. 186, 266–277 (1962) (Frankfurter, J., dissenting); and the discussion in Gary T. Jacobsohn, *Pragmatism, Statesmanship, and the Supreme Court* (Ithaca, N.Y.: Cornell University Press, 1977), 120–121, 131–132.

[127] See Bickel, *Idea of Progress*, 175–181; Landis, *Administrative Process*, 68–69.

[128] Jacobsohn, *Pragmatism*, 144–148. See also *SEC v. Chenery Corp.*, 318 U.S. 80, 91–94 (1943); Bickel, *Idea of Progress*, 157; Landis, *Administrative Process*, 75; Felix Frankfurter, *The Public and Its Government* (New Haven: Yale University Press, 1930), 157–163; Sanford V. Levinson, "The Democratic Faith of Felix Frankfurter," *Stanford Law Review* 25 (1973): 438–441.

[129] *U.S. v. Morgan*, 313 U.S. 409, 415–421 (1941); *CBS v. U.S.*, 316 U.S. 407, 429–446 (1942) (Frankfurter, J., dissenting); *Polish National Alliance v. NLRB*, 322 U.S. 643–648 (1944).

[130] *Baker v. Carr*, 369 U.S. 186, 297–302 (1962) (Frankfurter, J., dissenting).

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opposition to inquiry into executive actions under the Freedom of Information Act, his opposition to private rights of action, and his reluctance in general to open the courts to claims of individuals alleging harms from agency policies only extends to new topics the legal doctrines supporting this standard of interpretation. His support of exclusive presidential powers and agency discretion in rulemaking also frees leaders for policy action.

In their interpretation of economic liberties, the interpretative standards of Frankfurter and Landis encouraged competitive markets. Like Scalia they wanted to have the policing of markets by expert bodies to ensure that unvirtuous forces did not corrupt the moral teachings of the marketplace.[131] Also, they believed that courts should defer to agency judgments about market policing and that courts should avoid interfering with the market to achieve redistributive policy ends.[132] In his constitutional standards on the topic of federalism, Frankfurter generally assumed, as Scalia now does, the supremacy of national institutions over state and local governments. But, he retained a belief in the benefits of some independence in state policy making, just as Scalia does.[133]

Frankfurter assumed, as Scalia now does, that the good life should be defined by the majority through the political process. The good life is the community's sense of what is virtuous activity, and individual actions should not be allowed to threaten the consensus on the good life.[134] Personal freedom exists "when it is ingrained in a people's habits. . . ," or when it is part of the history and common experience of a people.[135] Thus, Frankfurter's constitutional standard was that rights were not a resource to be used to permit diverse theories of the good life to flourish.[136] Instead, they serve as an instrument to control occasional defects in the decisions of elected leaders. In this interpretative tradition there is a recognition of the value of free speech, but free speech that threatens the democratic consensus can be restricted. There is to be criminal due process, but due process

[131] Landis, *Administrative Process*, 154–155; on Frankfurter see *Tigner v. Texas*, 310 U.S. 141–194 (1940); *East New York Savings Bank v. Hahn*, 326 U.S. 230–235 (1945); *American Federation of Labor v. American Sash and Door Co.*, 335 U.S. 538, 545–557 (1949) (Frankfurter, J., conc.).

[132] *Osborn v. Ozlin*, 310 U.S. 53–67 (1940); *Phelps Dodge Corp. v. NLRB*, 313 U.S. 177, 199–200 (1941); *American Federation of Labor v. American Sash and Door Co.*, 335 U.S. 538, 542–557 (1949) (Frankfurter, J., conc.); *Newark Fire Insurance Co. v. State Board*, 307 U.S. 313, 323–324 (1939) (Frankfurter, J.); *Wisconsin v. J.C. Penney Co.*, 311 U.S. 435, 445 (1940) contains Frankfurter's position.

[133] *New York v. U.S.*, 326 U.S. 572 (1946), but note the exception at 582, used to justify the majority position of Court (Rehnquist, J.) in *National League of Cities v. Usery*, 426 U.S. 833 (1976) and the minority positions in *Garcia v. SAMTA*, 469 U.S. 528 (1985). Compare to *Polish National Alliance v. NLRB*, 322 U.S. 643, 649–651 (1944) (Frankfurter, J., dissenting) and *Baker v. Carr*, 369 U.S. 186, 284–285 (1962) (Frankfurter, J., dissenting).

[134] Bickel, *Morality of Consent*, 24, 142; Jacobsohn, *Pragmatism*, 144–148.

[135] *Minersville School District v. Gobitis*, 310 U.S. 586, 599 (1940). See also *Dennis v. U.S.*, 341 U.S. 494, 555 (1951) (Frankfurter, J., conc.); and Bickel, *Morality of Consent*, 88.

[136] *West Virginia State Bd. of Education v. Barnette*, 319 U.S. 624, 667 (1943) (Frankfurter, J., dissenting); *Milk Wagon Drivers Union v. Meadowmoor Dairies*, 312 U.S. 287, 293–299 (1949); see also Edelman, *Democratic Theories*, 93–114.

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should not threaten the majority's sense of what constitutes a secure society.[137] The only times that rights can be used to change the effect of "habits and the feelings they engender. . . ." are when the enforcement of rights teaches the public to respect each other and the community's sense of right or when the enforcement prevents arbitrary actions detrimental to constitutional governance.[138] Thus, rights are to be used by courts to reestablish a community consensus rather than foster diverse values. By his opposition to most rights claims and especially to efforts to promote the equality of individuals, Scalia carries this tradition of interpretation toward a far greater defense of values of the majority. He gives greater weight to majority values on topics like racial equal protection, where Frankfurter voted for minority claimants. Scalia's opinion in *Block v. Meese* permits extensive majority control of publications, his views on religion permit legislative majorities to control religious values in education, his criminal justice case voting record favors the community over the rights of those who may have threatened order in the community, and his equality decisions favor stability over changes in community social and economic relationships beneficial to minorities.

The description of the constitutional values of Frankfurter and his students bears remarkable similarity to the values of Scalia in one additional way. All of these men share a commitment to law as the primary social value. As Bickel states the commitment: "Law is more than just another opinion; not because it embodies all right values, or because the values it does embody tend from time to time to reflect those of a majority or a plurality, but because it is the value of values. Law is the principal institution through which a society can assert its values."[139] Scalia agrees with this proposition, writing, ". . . I have never been able to isolate obligations of justice, except by defining them as those obligations that the law imposes."[140] All of these men are legalists who hold "moral conduct to be a matter of rule following, and moral relationships to consist of duties and rights determined by rules."[141]

Appointed to the Supreme Court because of his record of opinions and publications, his service for and connections to Republican administrations, and his personal character, Antonin Scalia is a typical product of the Reagan administra-

[137] On speech, see *Kovacs v. Cooper*, 336 U.S. 77, 89–97 (1949) (Frankfurter, J., conc.); *Dennis v. U.S.*, 341 U.S. 494, 546–556 (1951) (Frankfurter, J., conc.); *Communist Party v. Subversive Activities Control Board*, 367 U.S. 1, 88–105; *Wyman v. Updegraff*, 344 U.S. 183 (1952) (Frankfurter, J., conc.). On criminal due process, see *On Lee v. U.S.*, 343 U.S. 747, 760–762 (Frankfurter, J.); *Adamson v. California*, 332 U.S. 46, 59–68 (Frankfurter, J., conc.).

[138] See Bickel, *Morality of Consent*, 110–111; *Cooper v. Aaron*, 358 U.S. 1, 24–26 (1950) (Frankfurter, J., conc.); *McCollum v. Board of Education*, 333 U.S. 203, 214–220 (1948); *Harris v. U.S.*, 331 U.S. 145, 155–174 (1947) (Frankfurter, J., dissenting); *Haley v. Ohio*, 332 U.S. 596, 601–607 (1947) (Frankfurter, J.); *McNabb v. U.S.*, 318 U.S. 322–347 (1943); and *Niemotko v. Maryland*, 340 U.S. 268, 275–289 (1951) (Frankfurter, J., conc.).

[139] Bickel, *Morality of Consent*, 5.

[140] Scalia, "Morality, Pragmatism, and the Legal Order," 125.

[141] Judith N. Shklar, *Legalism: An Essay on Law, Morals, and Politics* (Cambridge, Mass.: Harvard University Press, 1964), 1.

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tion's judicial selection process. He is a justice who agrees with a majority of the Reagan administration's policy positions in constitutional and statutory litigation. Additionally, Scalia possesses a judicial philosophy and political vision that extend far beyond simple allegiance to a few policy positions. Akin to the tradition of constitutional interpretation of Felix Frankfurter and his students, it is a vision that limits the checking function of the Court in constitutional politics, enhances legislative and executive and agency power, and subjects rights to definition by the majority in control of the government. Finally, it is a majoritarian vision, a vision skeptical of Earl Warren's faith in a people governing themselves through a conflict encouraged by the existence of rights for minorities. In Scalia's democracy, leadership by the virtuous representatives of the majority and policy direction by the state remain the cardinal principles.

Finally, as the bloc analysis has revealed, Scalia's constitutional vision is close to but not identical to the views of the other Reagan administration appointees to the Supreme Court. Despite a few surprise votes or opinions in favor of First Amendment rights claimants, criminal defendants, and minorities, Rehnquist, O'Connor, and Kennedy share Scalia's majoritarian constitutional philosophy. As a group of relatively young justices, they should remain central figures in American constitutional development into the twenty-first century and a barrier for political forces seeking the reinvigoration of Warren Court liberalism.*

* Portions of this article were delivered at the 1987 and 1988 annual meetings of the Western Political Science Associaton. The author would like to thank Joseph Stewart, Jr. for his advice and Ken Knelly and Randy Moffett for research assistance.

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Contradictions in Communist Reform: China before 4 June 1989

BENEDICT STAVIS

Democratic reform in an authoritarian political system has always been a complicated and uncertain process. Historically, most democracies evolved in capitalist societies in which trade and industry evolved autonomously from government and in which a philosophical and legal framework for limited government was established.[1] An emergent bourgeoisie convinced old feudal leaders and kings to share power in parliaments. Later, industrialization and urbanization formed more new social classes, and these forces also eventually joined in the sharing of power. At each stage in this process, conflict between old and new social forces was common, and many countries experienced civil violence and dictatorship. Some political systems oscillated several times between autocratic and constitutional rule over many political generations. Established elites finally decided they could use representative and electoral institutions to avoid violent revolution, to strengthen the legitimacy of the status quo, and to prevent the stagnation of hereditary elites.[2] A crisis-choice-change model has successfully been used to link long-term changes

[1] Karl Polanyi, *The Great Transformation* (Boston: Beacon, 1970); Charles Lindbloom, *Politics and Markets* (New York: Basic Books, 1977).

[2] Peter Bachrach, *The Theory of Democratic Elitism, A Critique* (Boston: Little Brown, 1967), 15; John Nagle, *Introduction to Comparative Politics* (Chicago: Nelson Hall, 1989), 13–37; Samuel Huntington, "Will More Countries Become Democratic?" in Joseph Nye and Samuel Huntington, eds., *Global Dilemmas* (Cambridge, Mass.: Harvard University Press, 1986); Robert Dahl, *Polyarchy: Participation and Opposition* (New Haven: Yale University Press, 1971); Barrington Moore, *Social Origins of Dictatorship and Democracy* (Boston: Beacon, 1966); Tatu Vanhanen, "The Emergence of Democracy: A Comparative Study of 119 States, 1850–1979" *The Finnish Society of Sciences and Letters*, no. 24 (1984); Guillermo O'Donnell, Philippe Schmitter, and Lawrence Whitehead, eds., *Transitions from Authoritarian Rule* (Baltimore: Johns Hopkins University Press 1986).

BENEDICT STAVIS is associate professor of political science at Temple University.

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in the socioeconomic environment with the political choices made by leaders facing the challenge of crisis management.[3]

Where bureaucratic state power has been fused with the economy in contemporary communist systems and where there has been no enlightenment tradition of popular control over the state, the development of democracy has been even more difficult. Communist states are undergoing analogous processes of socioeconomic transformation (including industrialization, urbanization, mass education, new patterns of communication, and the spread of new values) that Europe experienced in the last century. Whether socioeconomic development will bring the same political changes under such conditions that it brought in societies where state and economy were separated is a critical question.

Political scientists have hypothesized that when communist systems reach a moderately high level of industrial development, irresistible pressures will develop for adaptation and reform. Kenneth Lieberthal and Michel Oksenberg delineated how China's state administration system has become infused with different interests according to personal needs, levels of administration, region, and functional specialization.[4] David Apter emphasized that less coercive institutions are needed to enable better flows of information for economic growth and development. Samuel Huntington predicted that industrialization in communist systems would bring ideological erosion, a new consciousness to the people, cleavages in the elite, and a less authoritarian one-party system. The system would adapt as an innovative, technocratic bureaucracy developed, as social differentiation brought interest groups into existence, as intellectuals became more critical, and as limited electoral participation emerged. Richard Lowenthal and Kenneth Jowitt anticipated that communist regimes would become more rational and less arbitrary under the pressure of economic development after the death of dominant leaders and as the regimes sought to include new elements more resistant to elite fiat and arbitrariness. Stephen White showed that as economic growth slowed down in Eastern Europe, the communist systems adopted more open political processes to generate a new basis for legitimacy. However, despite this scholarship, a clear model of how this transformation will take place has not been specified.[5]

[3] Gabriel Almond, Scott Flanagan, and Robert Mundt, *Crisis, Choice, and Change: Historical Studies of Political Development* (Boston: Little Brown, 1973).

[4] Kenneth Lieberthal and Michel Oksenberg, *Policy Making in China: Leaders, Structures, and Processes* (Princeton, N.J.: Princeton University Press, 1988).

[5] David Apter, *The Politics of Modernization* (Chicago: University of Chicago Press, 1965); Samuel Huntington, "Social and Institutional Dynamics of One-Party Systems" in Samuel Huntington and Clement Moore, eds., *Authoritarian Politics in Modern Society: The Dynamics of Established One-Party Systems* (New York: Basic Books, 1970), 26–44; Richard Lowenthal, "Development vs. Utopia in Communist Policy" in Chalmers Johnson, ed., *Change in Communist Systems* (Stanford, Calif.: Stanford University Press 1970); Lowenthal, "The Post-Revolutionary Phase in China and Russia," *Studies in Comparative Communism* 16 (Autumn 1983): 291–301; and Lowenthal, "The Ruling Party in a Mature State" in Mark Field, ed., *Social Consequences of Modernization in Communist Societies* (Baltimore: Johns Hopkins University Press, 1976), 81–118; Kenneth Jowitt, "Inclusion and Mobilization in European Leninist Regimes," *World Politics* 28 (October 1975): 69–96; Stephen White, "Eco-

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During the mid and late 1980s, several socialist countries—especially China, Poland, Hungary, and the Soviet Union—took important steps to reform their political and economic structures.[6] This article focuses on the reform program in China during 1986–1989. In the short term, the program failed. The expansion of market mechanisms in a planned economy brought inflation and official corruption. These processes brought social tension, conflict, and ultimately broad opposition. At the same time, the reform program was unable to consolidate an institutionalized political foundation strong enough to prevent or survive attack from elderly conservative leaders with long-standing personal connections with senior military leaders. These problems were manifest by September 1988, but did not reach a political denouement until the violent repression of demonstrators and a purge of reformers from leadership positions in June 1989. The 1986–1989 reform experience provides future reformers with a preliminary model of reform. More importantly, it highlights critical problems that must be avoided in future reform efforts, both in China and other communist countries.

Background to China's Reform Campaign

The reform movement in China was a reaction to the chaos, violence, and economic stagnation China experienced under traditional communism and the cultural revolution. In 1978, China's leaders began significant reform. To speed up economic growth, market mechanisms were expanded. In the countryside the collective system was dissolved in the early 1980s and transformed into household farming. Production soared at first, and then new production and social problems emerged. Reforms in the urban-industrial sector were pushed forward in 1985 but were slowed down when they brought inflation, corruption, anxiety, and disruption to state plans.[7]

In 1986 many top Chinese leaders decided that economic reforms would not work well until they were matched with political reforms. For economic enterprises to function in a market environment, the basic structure of governmental administration needed overhaul. Political reforms were also advocated to improve administrative efficiency. The core leaders took office over three decades ago, with skills

nomic Performance and Communist Legitimacy," *World Politics* 38 (April 1986): 462–82; Charles Bukowski and Mark Cichock, *Prospects for Change in Socialist Systems: Challenges and Responses* (New York: Praeger, 1987).

[6] Su Shaozhi, Jiang Chunze, Huan Guoying, Wang Yizhou, Wang Xingbin, Yu Haocheng, Li-Huichuang, and Gao E. "Forum on Re-understanding Socialism and Reform of Socialist Countries," *Shijie Zhishi*, 2 January 1989 and 15 January 1989, Foreign Broadcast Information Service (FBIS) *Daily Report, China*, 7 and 10 February 1989, 12–19 and 2–10.

[7] Harry Harding, *China's Second Revolution* (Washington, D.C.: Brookings, Institution, 1987); Elizabeth Perry and Christine Wong, eds., *The Political Economy of Reform in Post-Mao China* (Cambridge, Mass.: Harvard University Press, 1985); Pat Howard, *Breaking the Iron Rice Bowl, Prospects for Socialism in China's Countryside* (Armonk, N.Y.: M.E. Sharpe, 1988); Gene Tidrick and Chen Jiyuan, eds., *China's Industrial Reform* (New York: Oxford University Press, 1987).

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in revolutionary mobilization and guerrilla warfare. To improve administration, Chinese reformers asked the old generation of administrators to retire, appointed a younger generation of leaders, and began to set up a professional civil service.[8]

Another reason for political reform was to strengthen faltering political legitimacy among younger generations. The majority of China's population by now has reached political maturity under the communist system. For them, the Communist Party is not a revolutionary party but simply the ruling establishment, responsible for chaos, brutality, economic stagnation, corruption, and nepotism. During the 1980s China's youth matured in a cosmopolitan environment stressing individual needs and financial incentives. Youth joined in major political demonstrations, including the Tiananmen incident in 1976, the Democracy Wall Movement in 1979, and the nationwide wave of demonstrations in December 1986, broadly indicating dissatisfaction with this arranged political marriage.[9]

The top communist leadership itself has been remarkably self-critical about these problems. Deng Xiaoping gave a blistering review about the problems in government administration in a report entitled "On the Reform of the System of Party and State Leadership" in August 1980. He charged that the leadership system was characterized by "bureaucracy, over-concentration of power, patriarchal methods, life tenure in leading posts and privileges of various kinds." It was "dilatory, inefficient, and irresponsible." Problems had "reached intolerable dimensions, both in our domestic affairs and in our contacts with other countries." This speech put political reform on the agenda for the 1980s. At the same time, Deng listed "four cardinal principles" that set the limits on change. China had to accept socialism, Marxism-Leninism-Mao Zedong thought, the proletarian dictatorship, and the rule of the Communist Party.[10] The first three principles were somewhat vague and flexible, but the last principle was very clear. China would not adopt a western multiparty political system with separation of powers and checks and balances.

Changes were made in party organization to reduce concentration of authority and to provide better research and broader consultation on policy issues. Many changes were made in personnel. From 1978 to 1985, 91 percent of the ministers in the state council were removed; 85 percent of the central committee was replaced; and 97 percent of the provincial first secretaries and governors were changed. New appointees were younger and better educated. Reforms were made to expand the rule of law.[11]

[8] Melanie Manion, "Policy as a Norm-building Problem: Retirement in Chinese Officialdom, Post-Mao," paper presented at the annual meeting of the Association for Asian Studies, 1988; John P. Burns, "Reform of Comtemporary China's Civil Service System," paper presented at the Association of Asian Studies Annual Conference, 1988.

[9] Benedict Stavis, *China's Political Reforms: An Interim Report* (New York: Praeger, 1988); Stanley Rosen, "Prosperity, Privatization, and China's Youth," *Problems of Communism* 34 (March-April 1985): 1–29.

[10] Deng Xiaoping, "On the Reform of the System of Party and State Leadership" and "Uphold the Four Cardinal Principles," *Selected Works of Deng Xiaoping (1975–1982)* (Beijing: Foreign Languages Press, 1984).

[11] Li Kejing, "China's Political Restructuring and the Development of Political Science," *Social*

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Reform and Reaction in 1986–1987

In spring 1986, top political leaders again emphasized the need for political reform to help economic reforms. China's scholars wrote many penetrating articles describing the problems and advocating various improvements. In May 1986 the State Council approved experiments in structural reform in sixteen medium-sized cities.[12] A Central Political Structural Reform Deliberation Group of highest level officials was set up in September 1986.[13] Physicist Fang Lizhi toured major universities and encouraged students to demand democracy.

An unprecedented wave of student demonstrations swept dozens of cities in December 1986.[14] Top leaders feared that workers, protesting inflation of food prices, would join students and create a potentially destabilizing situation. Political and military conservatives used the opportunity to force the resignation of General Secretary of the Communist Party Hu Yaobang. The enthusiastic reformers were in retreat, and the more conservative forces campaigned against "bourgeois liberalization" during spring 1987.

One locus of opposition against reform was the senior civilian and military elite, concerned with pressures to retire. To ease the shock of retirement, the Chinese Communist Party has established Old Cadres Bureaus to ensure that retired cadres continue to receive perquisites of their offices, including housing, car service, access to party documents, and deference in party meetings. Nevertheless, some cadres refused to retire until the party found suitable jobs for their children. Evidence of this problem is in appointments such as Chen Haosu (son of Chen Yi) as vice mayor of Beijing, Chen Yuan (son of Chen Yun) as assistant secretary in the Beijing party committee, and Ye Xuanping (son of Ye Jianying) as governor of Guangdong. The fathers were all leaders in the Chinese revolution and held top leadership positions. Children of other high officials were showing up in prominent business positions.[15] Such appointments alleviated some elite opposition to reform and served to create alternative career paths; but they also gave an image of nepotism. Some enthusiastic reformers had opposed such appointments.

At a broader cultural level, China's political culture is not conducive to democratic

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Science in China 7 (September 1986); Christopher M. Clarke, "Rejuvenation, Reorganization and the Dilemmas of Modernization in Post-Deng China," *Journal of International Affairs* 39 (Winter 1986): 119–132; Hong Yung Lee, "China's 12th Central Committee: Rehabilitated Cadres and Technocrats," *Asian Survey* 23 (June 1983): 673–91; William Joseph, "The Dilemmas of Political Reform in China," *Current History* 84 (September 1985): 252–255; Victor Falkenheim, "The Limits of Political Reform," *Current History* 86 (September 1987): 261–65, 279–81; Richard Baum, "Modernization and Legal Reform in Post-Mao China: The Rebirth of Socialist Legality," *Studies in Comparative Communism* 19 (Summer 1986): 69–103.

[12] *People's Daily* (Beijing), 29 August 1986.

[13] Yeh Chung-min, "How the State Council's Structural Reform Plan Came Into Being," *Ta Kung Po*, 7 April 1988, FBIS, 12 April 1988, 30.

[14] Orville Schell, *Discos and Democracy* (New York: Pantheon, 1988).

[15] Fox Butterfield, "Under Deng, Running China Has Become a Family Affair," *New York Times*, 2 July 1989.

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reform. Marxism-Leninism-Stalinism-Maoism was superimposed on a deeply embedded authoritarian, hierarchical political culture based on Confucianism. Chinese political culture did not value popular participation and rule of law, concepts important in the West since Aristotle. Nor did it accept the idea that government was empowered by the people for limited and specific purposes, the core idea of European Enlightenment social contract theory. The Chinese view political change within the framework of the dynastic cycle of strong, brutal leaders or weak and corrupt leaders—not within the framework of change from authoritarian to democratic rule. Although democratic values are being accepted by some young people and intellectuals, a large portion of leaders and masses simply cannot imagine that citizens can or should vote for their leaders or make authoritative inputs into a political system. They know only about making requests of the emperor or rebelling. Many people presume that a competitive political system would be chaotic and would threaten social stability and economic growth.[16] For the past century, the Chinese concept of democracy has endorsed strong state power for national development, not limits on state power, as in the West.[17]

A New Limited Consensus for Reform

By late summer 1987, party leaders again agreed to continue reform. After the dismissal of Hu Yaobang and the Antibourgeois Liberalization Campaign in the spring, there were numerous signs that the conservative reaction was unpopular. The 13th Party Congress in October symbolized this resumption of reform. Zhao Ziyang, who was general secretary of the Party at the time, offered the ideological solution to the puzzle of how China could claim to be Marxist and socialist at a time when it was privatizing agriculture, withdrawing state control from industry, encouraging private entrepreneurship and hiring of labor, and allowing free markets to shape much of the planning. He explained that China was at the "primary stage of socialism," when the "basic criterion for judging all our work should be whether it serves" economic growth. Diverse systems of ownership were appropriate. This phase would last until the middle of the twenty-first century.[18]

Zhao offered a six-point program for political reform, reflecting broad consultation in the party.[19] The program included: separation of the functions of the Communist Party from governmental activities; delegation of powers to lower levels; reforming government organs, including reforming and streamlining government structures; reforming the cadre system to create a professional civil service with

[16] Lucian Pye, *The Spirit of Chinese Politics* (Cambridge, Mass.: MIT Press, 1968); Richard Solomon, *Mao's Revolution and the Chinese Political Culture* (Berkeley: University of California Press, 1971).

[17] Andrew Nathan, *Chinese Democracy* (New York: Knopf, 1985).

[18] Zhao Ziyang, "Advance Along the Road of Socialism with Chinese Characteristics," *Beijing Review* (hereafter abbreviated BR), 9–15 November 1988, 27.

[19] Guo Zhaojin and Wang Xiaohui, "How Was the Report to the 13th CPC National Congress Drafted?" Hong Kong China News Agency, 4 November 1987, FBIS, 6 November 1987, 11.

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fixed terms of office; expanding opportunities for consultation and dialogue; and improving the capability of the People's Congresses and other representative organizations, and improving the legal system.

Crucial personnel appointments seemed to consolidate reform. The new political bureau included many vigorous reformers, but they were not a solid majority. Many old leaders retired. All in all, the personnel appointments marked a substantial generational shift in leadership. Apart from policy and personnel decisions, a new open style emerged. The international press was present. Delegates to the congress were elected in a new system providing more nominees than positions. In elections for the central committee, the 1,936 delegates could vote secretly for 175 from a list of 196 candidates.[20] One of the people not reelected for the Central Committee was a conservative leader, Deng Liqun.

The next major landmark in China's politics was the Seventh National People's Congress (NPC) in March-April 1988. In theory the NPC is the supreme political body of the Chinese government and has many legislative functions, but in practice it has been hampered by Communist Party control and by structural factors limiting its power.[21] The selection of top leaders of the government at the NPC suggested more clearly than the party congress the significance of balance and coalition. Moderates seemed to come out ahead, but they also lacked a working majority and needed coalitions. Li Peng was elevated from acting to regular premier. Aging leaders Yang Shangkun, who had been trained in the Soviet Union in the later 1920s and whose close relatives had assumed many leading military positions in recent years, became president; Wang Zhen, with roots in the communist military beginning in the 1920s, was elevated to vice president. Wan Li, a reformer, was made chairman of the NPC Standing Committee. The turnover of leaders suggested that the policies of ending life-long tenure and limiting leaders to two terms of office were making headway.

Atmospherics, more than personnel decisions, gave the event an image of reform. Many of the 2,877 delegates were not members of the Chinese Communist Party. Criticisms made by delegates representing Taiwan and Hong Kong were reported in the Chinese press and television. Delegates complained about Chinese policy in Tibet, criticized the Ministry of Railroads and Aviation officials for allowing accidents and blocked a plan to merge ministries into a new Transportation Ministry, decried low budget allocations for education and low salaries for teachers, lambasted low farm prices coupled with shortages and higher prices for fertilizer and other farm inputs, offered constitutional amendments to consolidate economic freedom and civil rights, and criticized continued nominations of

[20] Michel Oksenberg, "China's 13th Party Congress," *Problems of Communism* 36 (December 1987): 1–17. "The 13th Party Congress Has Played the Music of China's Invigoration," Hong Kong China News Agency, 2 November 1987, FBIS, 3 November 1987, 19. Terry Cheng, "Recently in Beijing . . . " *South China Morning Post*, 14 November 1987, FBIS, 16 November 1987, 23.

[21] Kevin O'Brien, "China's National People's Congress: Reform and its Limits," *Legislative Studies Quarterly* 13 (August 1988).

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octogenarian leaders at a time when the policy was for bringing in new generations of young leaders. Over 400 Chinese reporters (including some from Hong Kong and Taiwan) and over 250 foreign journalists covered the session.[22]

The congress provided a new way for delegates to vote for the top leaders and the standing committee. For the NPC Standing Committee, 144 candidates vied for 135 seats, so delegates had some choice. Voting was secret and negative votes and abstentions were acknowledged, counted, and available to foreign journalists. Vice President Wang Zhen got the most negative votes, reflecting misgivings about his age and conservative image.[23] These new voting systems were important not only for the changes in the NPC but also because they were adopted more broadly in many provinces and cities in local elections.[24]

In his report to the congress, Premier Li Peng promised bureaucratic rearrangements to distinguish between government and economic functions, to reduce the number of ministries and commissions from forty-five to forty, and to cut the state council's staff from about 50,000 to about 40,000.[25] Li also endorsed the idea of civil service reform.[26] These changes would be implemented in 1988; at the central levels, in 1989 in the provinces, and later at lower levels.

The NPC passed an enterprise law that provided the legal foundation for the concept that enterprises would be autonomous from the government. This was crucial for the expansion of the market mechanism.[27] Although the passage of a bill would seem automatic in a communist state's congress, in fact the NPC had blocked passage of bankruptcy and enterprise bills during 1986. So the acceptance of the enterprise law had some significance. The NPC also established the island of Hainan as a separate province that would have a more open policy, especially toward foreign interests.

Some delegates complained that the NPC was simply a rubber stamp and a hand-raising machine that would not even see the state budget until it had been implemented for three months. The National People's Congress took a more active role and promised to review 117 laws in five years and established a committee

[22] "Economist Urges Constitutional Amendments," *China Daily*, 8 April 1988, 4; "Current NPC Session Called Open, Democratic," Beijing New China News Agency (hereafter abbreviated NCNA), 8 April 1988, FBIS, 8 April 1988, 27, 31; Guo Zhaojin, "First Session of the Seventh NPC Took Another Major Step Forward in the Process of Democratization," NCNA, 14 April 1988, FBIS 15 April 1988, 16.

[23] "Feature on Voting Process," "Dissention in Voting Cited," Tokyo KYODO, 8, 9 April 1988, FBIS, 11 April 1988, 24, 26; "Voting for President, Vice President in China" and "No Breakdown on NPC Voting Statistics Released," *Hong Kong Standard*, 9 and 12 April 1988, FBIS, 12 April 1988, 15-28.

[24] Xiang Nan, "Different Views on Elections in Which There Are More Candidates than Actual Vacancies," *People's Daily* 7 June 1988, FBIS, 16 June 1988, 13; Diao Tingding and Chen Jialing, "The Reconstruction and Reform of Local State Institutions of China," paper for the International Political Science Association, 1988, 10-13.

[25] "Government Bodies to be Restructured," BR, 11-17 April 1988, 9.

[26] Li Peng, "Report on the Work of the Government," BR, 25 April-1 May 1988, 37-39.

[27] Yang Xiaobing, "Enterprise Law: A Milestone for Reform," BR, 2-8 May 1988, 24-26, FBIS, 26 April 1988, 42-49.

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to oversee the enforcement of law.[28] Plans were announced for a gallery for the public to observe the NPC.[29] The NPC's standing committee, for the first time ever, vetoed the nomination of a government official.[30] Yan Jiaqi, the former head of China's high level Institute of Political Science, argued that the NPC was evolving gradually into a western-style legislature and that in ten to fifteen years its delegates would be directly elected.[31]

Symbolic events showed continued tension about reform. Two huge Mao Zedong statues at Beijing University were taken down in April.[32] Fang Lizhi, the physicist whose blunt political comments had inspired students to demonstrate in December 1986 and who became a major target of the conservative backlash in 1987, appeared in public on the Beijing University campus on May 4, the symbolic anniversary of Chinese nationalism. Fang and other prominent victims of the Antibourgeois Liberalization Campaign, such as journalist Liu Binyan and political philosopher Su Shaozhi, were given permission to travel abroad. Wang Ruoshui, a writer and philosopher, continued to write on humanism, a political perspective criticized by conservatives the previous year.[33] Billy Graham visited China in April and met with Premier Li Peng.

Another interesting symbolic event was that the magazine *Red Flag*, the theoretical voice of the central committee since 1957, was dissolved. It was to be replaced by a new journal to be called *Seeking Truth*, a reference to Deng Xiaoping's crucial slogan in 1980.[34] What could better symbolize change than the replacement of the red flag storming the ramparts of capitalism with the search for truth!

Still, symbols of the conservative past continued. Articles reappeared praising Lei Feng, the soldier whose self-sacrifice to protect state property had been used for ideological campaigns decades earlier.[35] The development of a press law, under discussion since 1980, remained stalled because some wanted the law to legitimate party control of the press, while others stressed the independence of the press.[36]

[28] "Stronger Role for the NPC Urged," Beijing NCNA, 4 April 1988, FBIS, 5 April 1988, 14; "NPC to Review 117 Laws in Next Five Years," Beijing NCNA, 30 July 1988; "NPC Forms Committee to Supervise Law Enforcement," Beijing NCNA, 1 August 1988, FBIS, 3 August 1988, 13-14.

[29] "NPC Gallery to Enhance Democratic Dialogue," Beijing NCNA, 21 July 1988, FBIS, 22 July 1988, 28.

[30] "Vetoes Appointment," Beijing NCNA, 1 July 1988, FBIS, 1 July 1988, 19.

[31] Judy Polumbaum and David Chu, "Political Reform in China," *China Exchange News* 16 (June 1988): 30.

[32] "Mao Statues Removed from Beijing University," Tokyo KYODO, 17 April 1988, FBIS 18 April 1988, 25.

[33] Hsien Chieh-chen, "Fang Lizhi on Science and Democracy," *Ta Kung Pao*, 5 May 1988, FBIS, 5 May 1988, 19; "Liu Binyan to Enter Harvard in September," *Wen Wei Po*, 16 June 1988, FBIS, 16 June 1988, 19; Liu Jui-shao, "Wang Ruoshui Speaks on Humanism, Speech Delivered at the Beijing Forum on Cultural Development Issues, 29 April 1988," *Wen Wei Po*, 2 May 1988, FBIS, 4 May 1988, 35.

[34] "Central Committee to Launch New Journal," FBIS, 2 May 1988, 22.

[35] Liu Jingsong, "It is Necessary to Continue to Carry Forward Lei Feng's Revolutionary Spirit Under the New Situation of Developing Vigorously the Commodity Economy," *Lilun Yuekan*, 25 April 1988, FBIS, 23 May 1988, 33.

[36] Marlowe Hood, "Effect of Press Law Reforms on Media Viewed," *South China Morning Post*,

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The government made drastic cuts in the number of students it would send abroad at its own expense and redirected Chinese students from the United States to Europe (including Eastern Europe and the Soviet Union). The government was concerned both with a potential brain drain and with the threat that students would return with too many western values.[37]

Controversial Reforms of Summer 1988

The most dramatic and dangerous reforms taken during this period were price reforms to strengthen the market mechanism. Deng Xiaoping considered the issue of price reform to be a crucial barrier that had blocked reforms in other socialist countries. He was determined to break this barrier. Chinese and foreign economists argued that markets could not function effectively until prices were rational. For decades the government held prices stable, so eventually adjustments were needed in prices to compensate for changes in availability of resources, changing needs of a growing population in an industrializing society, changing world prices, and changes in productive forces and technology. The problem was especially acute in agriculture. To keep yields high, more costly fertilizer and other inputs were being used. In the early 1980s, prices were raised for many agricultural products, but retail prices were left unchanged; so large government subsidies became necessary. This contributed to a budget deficit and to inflation. Despite these subsidies, grain production declined in 1987, pork production suffered, and pork rationing was reestablished in major cities in December 1987.[38]

Economists argued it would be better to allow prices to be set by market interactions. The practical problem was that China was in the midst of an inflationary spiral caused when the government directed large increases in wages, allowed expansion of credit, printed currency excessively, and allowed excessive investments to create bottlenecks in supply. The offical price index rose 8.8 percent in 1985, 6 percent in 1986, and 7.3 to 9.7 percent in 1987.[39] This index probably understated the inflation rate in big cities. During the first few months of 1988, surveys showed a general inflation of 13.4 percent.

After years of discussion and local experimentation, Chinese leaders agreed in 1988 to reform the price system. Two types of changes were involved. For some commodities, the government agreed to allow prices to be set by the market. However, to keep downward pressure on prices, the government also retained ad-

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24 April 1988, FBIS, 25 April 1988, 25; "Difficulties in Writing Press Law Viewed," *Ta Kung Pao*, 14–20 April 1988, FBIS, 12 May 1988.

[37] Zhuang Yan and Shen Yong, "Chinese Students Studying Abroad, A Perspective," *Liaowang Overseas*, March 1988, FBIS, 15 April 1988, 27; "China Reaffirms Policy on Students," BR, 18–24 April 1988, 12.

[38] "Pork Shortage Hits Big Cities," BR, 14–20 December 1987, 11.

[39] Benedict Stavis, "The Political Economy of Inflation in China," *Studies in Comparative Communism* 22 (Spring-Summer 1989): 237–38.

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ministered prices for a portion of the goods as a transition measure. Chinese leaders were very much aware that sharp increases in food prices have sparked politically destabilizing strikes and demonstrations in Poland and other countries.

Despite inflationary tendencies, reformers took the big step in May 1988, and boosted the administered prices of meat, fruit, vegetables, and sugar. Price increases hit Beijing on May 15 and around the same time in other cities.[40] Nonstaple foods went up 24.2 percent, and vegetables went up a whopping 49.7 percent. To compensate for increases in food prices, wage subsidies were granted to government workers, workers in state-run enterprises, retirees, college students, technical students, and minority nationalities. At the same time that food prices shot up, the State Council decided to boost monthly housing payments up to ten times higher and gradually give residents an equity position in their apartments over a three to five year period.[41]

With food and housing costs up, the living standards declined for 21 percent of the residents of Beijing, Shanghai, and Tianjin.[42] More careful studies later showed an even greater impact of inflation. By the end of 1988, about 35 percent of urban families in thirteen cities showed a decline in standard of living.[43] The economic pressures on many families with fixed incomes, coupled with the fact that some entrepreneurs were becoming very wealthy, reinforced jealousies and tensions. There were incidents of window breaking and tire slashing at the quarters of top cadres.[44] Deng publicly alluded to his anxiety, saying, "China's leadership knows every step the country takes involves risks and could encounter difficulties."[45]

Price reform also increased official corruption. The two-track price system, with both a free market price and a lower administered price, created an ideal condition for corruption. Government officials were offered bribes for allocation of low-priced goods, which could then be resold at a high profit. One Chinese researcher argued that this combination of an embryonic market system and the old system of centralized power "has created a major hotbed for corruption within the party."[46] It was not unusual that vigorous investigators of corruption were arrested and imprisoned as bureaucratic racketeers fought back.[47] The Chinese recognized that "public opinion polls and sociological surveys all show official corruption as the most unsatisfactory phenomenon in China today. Discontent is

[40] "Deng on Current Price Reform," BR, 30 May–5 June 1988.

[41] "China Launches Housing Reform," BR, 2–8 May 1988.

[42] "New Food Subsidies Planned for Urban Residents," Beijing NCNA, 28 April 1988, FBIS, 28 April 1988, 35; "Urban Residents to Receive Food Subsidies," *China Daily*, 7 May 1988, FBIS, 10 May 1980, 27.

[43] "The Communiqúe on the Statistics of 1988 Economic and Social Development Issued by the State Statistics Bureau of the PRC," 28 February 1989, FBIS, 6 March 1989, 43.

[44] Lo Ping, "Fluctuation in Beijing," *Cheng Ming*, 1 July 1988, FBIS, 1 July 1988, 26.

[45] "Deng on Current Price Reform," BR, 30 May–5 June 1988, 9.

[46] Luo Haigang, "A Probe Into the Causes of Inner Party Corruption," *Lilun Yuekan* no. 6, 1988, summarized in *People's Daily*, 17 June 1985, FBIS, 22 June 1988, 20.

[47] Cai Xiaolin, "Make Sure That Bureaucratic Racketeers Do Not Have Their Officials to Protect Them," Beijing Radio, 30 December 1988, FBIS, 4 January 1989, 30–31

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widespread. If the corrupt elements are allowed to continue, more grievances will arise among the people."[48]

Simultaneously, in the summer of 1988, implementation began on several significant reforms of the administrative system. At the National People's Congress in spring 1988, a new Ministry of Personnel was established (by dividing the former Ministry of Labor and Personnel) to begin a five-year process of establishing the new civil service system based on principals of openness, equality and competition, promotion on the basis of assessment, legal protection against punishment, and professional training.[49] The new system would shift responsibility for managing cadres from the party organization departments to government personnel departments. Steps were also taken to tighten the cadre system in the military to prevent unauthorized promotions, avoid employment of unqualified personnel, and block inappropriate transfers to nonmilitary jobs.[50]

Another crucial reform commenced in summer 1988 was the separation of party and government. Party and state leadership had always intertwined and overlapped. Premier Li Peng acknowledged, "The state council's main task is to carry out the decisions made by the CPC Central Committee. . . ."[51] Party committees penetrated into every organized nook and cranny of society, overseeing activities and controlling appointment of personnel. A new role for the party required major changes in social roles throughout society. The theory of the reform was that the government needed more autonomy to make technical decisions, and the party needed more insulation from day-to-day administration to ensure its leadership role.[52] Some Chinese have said that the separation of party and government had the potential significance of separation of church and state in the West.

Structural reforms to separate the party and government accelerated in summer 1988. Party departments (which previously shadowed government bureaus), leading party groups in government offices, and party discipline inspection groups were all to be dissolved so that decisions could be made in the government.[53] Sichuan province reported it had abolished party groups in nine departments and party discipline inspection groups in four departments and bureaus; Beijing, Nanjing, and Shaanxi developed similar plans.[54]

[48] Commentator, "Clean Government," *China Daily*, 30 June 1988, FBIS, 30 June 1988, 34; Dai Yannian, "Clean Up Government," BR, 4–10 July 1988, 7–9.

[49] BR, 27 June-3 July 1988, 13, FBIS, 17 June 1988; Song Jishui, "The First Step towards Implementing the State Civil Service System, An Interview with Personnel Minister Zhao Dongwan," *Liaowang*, 18 July 1988, FBIS 18 July 1988, 34.

[50] Commentator, "Adhere to Principles, Strictly Enforce Discipline, Ensure Smooth Reform of the Cadre System," *Liberation Military Paper*, 17 June 1988, FBIS, 30 June 1988, 37.

[51] Beijing TV, 13 April 1988, FBIS, 14 April 1988, 18.

[52] Zhao Ziyang, "On Separating Party from Government," BR, 14–20 December 1987, 18–20; Bao Tong, "Several Questions Concerning the Current Reform of the Political Structure," *Seeking Truth*, 1 July 1988, FBIS, 19 July 1988, 21.

[53] "Leading Party Groups To Be Dissolved," "Discipline Inspection Groups to be Dissolved," Beijing NCNA, 31 July 1988, FBIS, 1 August 1988, 29; "Big 13th Congress of Reform," *Ta Kung Pao*, 5 November 1987, FBIS, 5 November 1987.

[54] "Sichuan Reorganizes Party Departments, Bureaus," Chengdu radio 8 May, FBIS, 18 May 1988,

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Dissolving party groups would have a profound impact on the personnel system, because these groups, along with party organization departments, have controlled government personnel assignments. Enterprise and government personnel departments would expand their powers to make personnel decisions with less and less input from the party, and more on the basis of work performance. In the future, some administrative positions would continue to require party recommendation, but many civil service positions would be arranged purely on a professional basis. Appointments would be made on the basis of examination, and promotions would be made on the basis of work performance.[55] The secret party file that followed people throughout their careers would become irrelevant. Chinese officials considered these to be highly significant reforms.[56] These changes left the party with the vague task of improving work style.[57]

In economic enterprises, the post of factory manager was separated from that of party secretary.[58] The managers received new powers to punish or fire workers, and the party branches were left with the vague task of guaranteeing and supervising by methods of party self-development, mass work, and inspiration.[59] These changes threatened the stability of China's industrial arrangements. Widespread labor unrest was revealed at a trade union conference in October 1988. In some cases, workers were so angry at managers for punishing them or for allowing vast salary differentials that workers murdered managers. The biggest strike occurred in a Xiaoshan (Zhejiang) textile mill when 1,500 workers took part in a two-day stoppage because of controversies about bonuses. The longest strike was at the Northwest Medical Appliance Factory, where 1,100 workers struck for three months after December 1987 to protest a factory director's violation of workers rights.[60] As implementation of the reform began, a complex power struggle to establish new power relations emerged between the party, the People's Congress, and the government.[61]

52; "Beijing to Reform Political Structure," Beijing NCNA, 30 June 1988, FBIS, 1 July 1988, 47; "Shaanxi Launches Political Structural Reforms," Xian radio, 8 July 1988, FBIS, 8 July 1988, 48; "Nanjing Starts Reform of Political Structure," Nanjing radio, 16 July 1988, FBIS, 21 July 1988, 60.

[55] The Chinese system is similar to the *nomenklatura* system in the Soviet Union, in which party committees control government personnel appointments at the next lower level. See John Burns, "China's Nomenklatura System," *Problems of Communism* 36 (September–October 1987): 36–51.

[56] My interviews with Hebei officials in early August 1988 indicated that these reforms were just in the process of implementation.

[57] Song Jishui, "The Tasks of Party Organization in Government Organs," *Liaowang*, 23 May 1988, FBIS, 6 June 1988, 26.

[58] Zhao Quingshu, "It is not Conducive to the Separation of Party and Government Work for a Plant Director to Serve Concurrently as a Party Secretary," *Red Flag*, 1 May 1988, FBIS, 1 June 1988, 25.

[59] Chi Fulin, "A Talk on Understanding of Guarantees and Supervision by Enterprise Party Organizations," *People's Daily*, 10 March 1988, FBIS, 13 April 1988, 41.

[60] "Trade Union Official on Reasons for Strikes," Beijing Xinhua, 25 October 1988, FBIS, 25 October 1988, 21–22; Lo Ping, "Notes on a Northern Journey," *Zheng Ming*, 1 October 1988, FBIS, 30 September 1988, 20–25.

[61] Hou Shaowen and Zhang Li, "The Crucial Question of China's Political Structural Reform and

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The Hot Summer of 1988

By summer 1988, tensions resulting from inflation, loss of economic security, institutional anxiety, and anger over corruption began to boil over. The difficulties started when Beijing students put up posters on campuses and staged a sit-in at the Great Hall of the People during the National People's Congress in early April urging more state support for education. Posters criticized Li Peng and Zhao Ziyang, indirectly and directly. Just as discontent with price increases was peaking in late May, some politically active students started establishing relations with workers at large industrial and mining enterprises in Beijing.[62]

On 2 June, the murder of a Beijing University student became the spark that ignited a week of disturbances. On the night of 3–4 June, about 2,000 students marched to Tiananmen Square and sat in overnight at the Ministry of Public Security, demanding strengthened security on the campus. Slogans and banners complained about price increases and corruption. Posters on campuses criticized (and supported) China's top leaders and said "Strive for Democracy, Freedom and Human Rights" and "Down with the Communist Party." Armed forces from throughout north China reportedly were brought to Beijing to strengthen security. From 7 to 9 June, students continued demonstrating at Tiananmen Square and sitting in at the west gate of Zhongnanhai, the residence of the power elite. Top leaders went to talk with students at Beijing University. After 7 June, the Beijing municipal government reminded students about regulations restricting marches and demonstrations. On 10 June, about sixty students from Changchun came to Beijing and tried to stage a sit-in at Zhongnanhai; 200 police officers removed them and sealed off the square.[63] Some Chinese officials suspected that Taiwanese and or U.S. CIA agents were involved in the demonstrations.[64]

The real fear was that such student demonstrations would ignite popular discontent of a new lumpen element in Chinese cities, now bustling with peasants selling produce and doing construction work, rural women serving as housekeepers, and others looking for work and excitement. Temporary residents were having more than the single child allowed to others; venereal diseases were reappearing, and

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the Counter-Policies," *Liaowang Overseas*, 25 July 1988, 8–10, FBIS, 4 August 1988, 18. See also Guan Shaofeng, "The Relationship Between Local Party Committees, People's Congress, and Government, A Perspective" in the same issue of *Liaowang*, FBIS, 28 July 1988, 16.

[62] "Big-Character Poster at Beijing University Implies that Li Peng's Promotion is Unreasonable," *Ming Pao*, 6 April 1988, FBIS, 6 April 1988, 34; "Students, Teachers Stage Sit-In in Beijing," Beijing NCNA, 10 April 1988, FBIS, 11 April 1988, 81; Lo Ping, "Fluctuation . . . ."

[63] Extensive discussion of the demonstrations by foreign and Chinese journalists is available in FBIS, 3–13 June 1988. See also "Student's Death Stirs Discussion," BR, 20–26 June 1988, 10–11; Bao Xin, "Eliminate Interference, Storm a Dangerous Pass Together," *Liaowang Overseas*, 20 June 1988, FBIS, 30 June 1988, 34; "Protests Seen as 'Surprising,'" Hong Kong Agence France Press, 30 June 1988, FBIS, 30 June 1988, 25.

[64] Lu Ching-shi, "Sabre-Rattling: Some News About the Beijing Student Movement," *Chiu shi Niantai*, 1 August 1988, FBIS, 3 August 1988, 9.

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China was concerned about the spread of AIDS.[65] The potential for instability was revealed by a large soccer riot in Nanchong, Sichuan, on 23 May. Sichuan fans, upset at disputed referee calls that gave a game to Tianjin, rioted for twelve hours, looted, and tried to burn a police station. About 130 people were injured, including 60–80 police, and 36 arrests were made. At least five were sent off to labor camp for "reeducation."[66]

Disturbances in rural areas also revealed social, economic, and political tensions and a decline in government authority. For example, thousands of farmers in a Shandong village destroyed and looted the party committee building after the local administrators had urged garlic growing, taxed it, and then were unable to purchase all the products at a high price.[67] In May 1988, in a city in Hunan, the procurator's office and cadres' quarters were damaged by villagers incensed at the way the government handled a fatal fight between two men about a woman's honor.[68] Nearer to the center of power, 1–3,000 farmers fifty miles southwest of Beijing clashed with several thousand police the night of 21–22 June to prevent water conservation officials from allowing pollutants from a petrochemical plant to enter their irrigation system. Seven people were rumored killed, seventy police injured in the violence, and five arrested.[69] Several incidents were reported in Guangdong. After police had killed a suspected thief who resisted arrest, his relatives and friends rioted and looted a police station on 21 May. Eight were arrested. On 4 June, peasants looted a coal mine, claiming compensation for pollution caused by the mine. A mob attacked twenty-seven tax collectors with rocks, bottles, sticks, and acid when the tax collectors went to inspect jewelry manufacturing shops. Police arrested seventeen.[70] These and other incidents were triggered by discontent over price hikes and wage levels.[71] The president of China's Supreme People's Court said that felony offenses, including murder, robbery, larceny, and rape, were 36.4 percent higher in the first half of 1988 than in the same period of 1987.[72]

Another potential problem has always been ethnic politics along China's pe-

[65] "VD Spread Causes Public Concern," BR, 30 May–5 June 1988, 12.

[66] "Soccer Fan Riot Subsides, Nanchong Tranquil," Beijing China News Agency, 26 May 1988 and "Rioters Face Harsh Punishment," Beijing NCNA, 26 May 1988, FBIS, 31 May 1988, 21–23; "We Will Certainly Not Tolerate Beating, Smashing, and Looting," Chengdu Radio, 29 May 1988, FBIS, 1 June 1988, 24.

[67] Cheng Ying, "Mass Riots on the Mainland Rise One After Another," *The Nineties*, 1 July 1988, FBIS, 5 July 1988, 39.

[68] Wu Xinghua, "Family Members of Hu Wenhua, Who was Killed While Trying to Assault a Girl, Gather People to Make Trouble and Beat Policemen in Hunan," *People's Daily*, 28 May 1988, FBIS, 31 May 1988, 24.

[69] Extensive Chinese and foreign coverage is available at FBIS, 30 June–5 July 1988.

[70] "Guangdong Rioters Destroy Police Station," *China Daily*, 6 June 1988, FBIS, 6 June 1988, 52; "Mob Attacks Guangdong Tax Inspectors, 17 Arrested," Hong Kong AFP, 18 July 1988, FBIS, 19 July 1988, 51.

[71] Lin Ning, "Strikes, Petitions Threaten Guangdong Stability," *Ta Kung Pao*, 4–10 August 1988, FBIS, 4 August 1988, 41.

[72] "Supreme Court President on Rise in Crime," Beijing NCNA, 18 July 1988, FBIS, 18 July 1988, 26.

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riphery. Violent demonstrations shook Tibet on 27 September and 1 October 1987 and 5 March 1988.[73] In Tibetan refugee camps in India, young radicals were thinking about beginning a Palestine Liberation Organization-style international terrorist campaign. Remnants of the Tibetan guerrilla troops, supplied and trained by the CIA in the 1960s, remain organized in India and are able to train and supply terrorists.[74] Demonstrations involving about 600 people were reported in Urumqi, Xinjiang, a Muslim region, on 15 June.[75]

In the face of these tensions, the Political Bureau had a three day meeting from 30 May to 1 June to review the situation. Some urged slowing the pace of reform, but the tense three-day meeting decided to continue pushing for economic and price reforms.[76] Police officials met in Beijing to review plans for coping with student demonstrations and public disorder. Li Peng commented on the important role of police in maintaining political stability during the reform process.[77]

The Struggle about Reform

By mid-1988, China faced a complex political situation. The reform process was creating serious economic dislocations and sharp social and political strains. Fearing more inflation, some people went on shopping sprees, aggravating shortages of supply. Strikes, protests, and corruption contributed to a decline in social order. Students and intellectuals complained that they were being shortchanged by reform. Factory managers were frustrated with higher prices for inputs and constraints on raising the prices of their products. Retired political and military leaders were upset with the loss of deference shown toward them.

Li Peng told the State Council on 15 July that increases in prices should be gradual, explained in advance, and not followed by increases in other prices.[78] It was rumored that the State Council had decided that further price reforms should be suspended temporarily for the rest of 1988.[79] At its annual summer conference in Beidaihe from 20 July to 28 July, the leadership reviewed and debated the reform process, including price and wage reforms. Deng Xiaoping and others seemed strongly committed to breaking the price barrier and establishing an effective market

[73] "Tibetan Leaders on the Tibet Situation," BR, 19–24 April 1988, FBIS, 20 April 1988.

[74] Jackie Sam, "Tibetan Exiles Said Urging Campaign of Terror" and "The Dalai Lama's 'Army,'" *Hong Kong Standard*, 8 April 1988, FBIS, 8 April 1988, 55, 56.

[75] "Protests Seen as 'Surprising,'" Hong Kong AFP, 30 June 1988, FBIS, 30 June 1988, 25.

[76] "Economic Reform Reaffirmed," Beijing NCNA, 1 June 1988, FBIS, 2 June 1988, 30. See also Lo Ping, "Fluctuation."

[77] Tsui Ping, "The Public Security Ministry Held a Meeting with Beijing Municipal Leading Organs to Condemn 'Revival of Liberalization,'" *Cheng Ming*, 1 July 1988, FBIS, 30 June 1988, 28; "Li Peng on Public Security, New Economic Order," Beijing NCNA, 5 July 1988, FBIS, 7 July 1988, 24.

[78] Xu Yaozhong, "Li Peng, State Council Discuss Economy," Beijing NCNA, 16 July 1988, FBIS, 18 July 1988, 23.

[79] Seth Faison, "Price Reform Said Halted for 6 Months," *South China Morning Post*, 20 July 1988, FBIS, 20 July 1988, 15.

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mechanism,[80] but they failed to reconcile conflicting viewpoints. Zhao Ziyang offered to resign and asked if it was possible to reform the price system over five years.[81]

At the third plenary session of the Central Committee meeting in late September 1988, conservatives sought Zhao Ziyang's resignation; but Deng Xiaoping protected him.[82] To control inflation, Zhao said that investment would be cut back 20 percent and controls on consumption and money supply would be tightened. He wanted the growth rate of industry to drop to 10 percent. Zhao acknowledged that getting inflation below double digits was the "yardstick for judging whether the reforms are working effectively."[83] Zhao Ziyang's power over the economy was reportedly reduced drastically and Li Peng's power increased.[84]

Even as conservatives were slowing down price reform and social tensions relaxed somewhat, other reforms were being pushed. Enterprise reform continued, and economists focused discussion on the critical and sensitive issue of changing the structure of property ownership.[85] Experiments were conducted with stock ownership of enterprises, and some managers resisted sharing management and profits with shareholders.[86] On the ideological front, theoreticians suggested that the nature of contemporary western capitalism should be reevaluated because it had undergone many profound changes in the century since Karl Marx had analyzed it. A professor at the party school argued that western capitalism had entered a new phase of "social capitalism," which was a new path to socialism. He implied it could be a new model for China on its path to socialism.[87] Political writers suggested highly specific steps to expand the power of the National People's Congress.[88] During the fall of 1988, China endorsed the Universal Declaration

[80] Bao Xin, "Let the People Know the Price for Reform," *Liaowang Overseas*, 13 June 1988, FBIS, 29 June 1988, 42; "The Beidaihe Conference Will Produce Major Policy Decisions," *Wen Wei Po*, 19 July 1988, FBIS, 19 July 1988, 20.

[81] Wei Wei Po, "Probing Secrets of the Beidaihe Conference," *Wen Wei Po*, 30 July 1988, FBIS, 1 August 1988, 30.

[82] Chuang Ming, "Reform on the Mainland Is Facing the Danger of Retrogression and the Revered Mr. Deng Appears to be Personally Stemming the Anti-Zhao Tide," *Ching Pao*, 10 December 1988, FBIS, 16 December 1988, 23–28.

[83] Zhao Ziyang, "Report to the Third Plenary Session of the 13th CPC Central Committee," BR, 14–20 November 1988, i-viii.

[84] Lo Ping, "Fluctuation," 23; Lai Pui-yee and Terry Cheng, "Official Says Zhao Has Lost Economic Control," *South China Morning Post*, 15 December 1988, FBIS, 16 December 1988, 22.

[85] Xiao Liang, "A Decade of Ownership Study and Reform in Retrospect," *Seeking Truth*, 1 December 1988, FBIS, 17 January 1989, 45–49.

[86] Yan Kalin, "Where is the Joint-Stock System Headed," *Economic Daily*, 30 November 1988, FBIS, 6 January 1989, 31–33.

[87] Lu Congming, "Modern Capitalism Reassessed," BR, 9–15 January 1989; Zhang Weiguo, "Su Shaozhi Talks About Contemporary Capitalism and China's Reform," *Shijie Jingji Daobao*, 28 November 1988, FBIS, 21 December 1988, 24–27; Xu Jiatun, "Reunderstanding Capitalism," BR, 14–20 November 1988.

[88] Cao Siyuan, "Thoughts on Reforming the NPC System – Tentative Discussions on the Road to

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of Human Rights, on the occasion of its fortieth anniversary.[89] Chinese statements emphasized the significance of human rights in anticolonial struggles throughout the world, but some officials creatively argued that criticisms of China's internal policies might constitute a violation of the human rights of the Chinese people to have their own system. The delicate nature of the political debate was suggested by an article in *People's Daily*. Democratic reforms would move forward, but very slowly.[90]

Cultural debate was also intense. At the end of 1988, a Beijing exhibition of nude paintings showed China continuing to open new cultural doors.[91] However, there was sharp controversy about a television series "River Elegy," a six-part documentary broadcast in June 1988. The series argued that China, with its authoritarian, agricultural Asiatic mode of production, has been facing a deep crisis ever since it was challenged by western industrial civilization. It argued that Chinese civilization was declining and would continue to do so until it absorbed western ideas. Not until the recent reforms and open door policy was there hope, but conservative forces were still trying to block change.[92] Conservative Vice President Wang Zen criticized the program as anticommunist and used the charged phrase, "poisonous weed."[93] In 1956 intellectuals were encouraged to let their observations bloom like flowers. However, criticisms were labeled weeds, and their authors sometimes went to jail. In contrast, Communist Party leader Zhao Ziyang endorsed the program and gave a video tape to Singapore's Prime Minister Lee Kuan Yew. Broad debate followed.[94]

By December 1988, social tensions were reappearing. Riots renewed in Lhasa, Tibet on 10 December, and police shot into crowds, killing at least one and injuring at least thirteen.[95] Larger, more violent riots on 7 March 1989 resulted in martial law being declared in Lhasa.[96] This was the first time since the Communist Revolution that martial law had officially been declared in a Chinese city.

During this time, campuses were tense also. Students in Nanjing demonstrated beginning on 24 December, ostensibly because of tensions with African students.

Socialist Parliamentary Democracy" and "A Thousand Li Journey is Started By Taking the First Step," *World Economic Herald*, 7 November 1988, FBIS, 14 December 1988, 21 and 15 December 1988, 15.

[89] "Highlights of Chinese Foreign Minister Qian Qichen," Beijing NCNA, 28 September 1988; FBIS, 29 September 1988, 5; Ma Jun, "Human Rights: China's Perspective," BR, 28 November–4 December 1988, 21–22.

[90] Wang Guixiu, "Promote the Development of Socialist Democracy," *People's Daily*, 9 December 1988, FBIS, 16 December 1988, 38–41.

[91] Lai Renqiong, "Thought Provoking Nude Painting Exhibition," *People's Daily*, 7 January 1989, FBIS, 17 January 1989, 35.

[92] Zhang Wei, "The River Dies Young," BR, 23–29 January 1989, 23–28.

[93] He Shao-ming, "Wang Zhen Accuses 'River Elegy' of Opposing Communism," *Cheng Ming*, 1 December 1988, 12–13, FBIS, 9 December 1988, 20–22.

[94] "Forum Reveals Divergent Views on 'River Elegy,' " *Bright Daily*, 20 November 1988, FBIS, 14 December 1988, 19–21.

[95] "One Dead, 13 Hurt in Lhasa Riot," BR, 19–25 December 1988, 11.

[96] "Martial Law Orders Relayed," Lhasa radio, 8 March 1989, FBIS, 8 March 1989, 7.

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But slogans about democracy and human rights quickly appeared. Demonstrations spread to Beijing, Wuhan, and Hangzhou. In Guangzhou, clashes occurred between PRC students and Chinese students from Honk Kong and Macao.[97] Uygur students from western China studying in Beijing demonstrated with signs calling for human rights for China's minority nationalities.[98]

In agriculture, grain production fell in 1988, setting the stage for renewed social and economic problems in 1989. The price adjustments of 1988, as painful as they were, merely helped reduce subsidies created by increases in procurement prices years earlier. They did not increase the price paid to farmers for grain or improve incentives for farmers. Moreover, farmers were reported to be up in arms after China's agricultural bank, strapped for funds, could only offer promissory notes.[99]

Some political theoreticians noted that rapid economic growth in Taiwan, Hong Kong, Singapore, and South Korea seemed to be assisted by authoritarian governments to control tensions created by markets. Debate followed about whether "neo-authoritarianism" might be needed to provide a transition for China to freedom.[100] The inaugural issue of a journal entitled *Reform of the Chinese Political Structure*, published by the Office for the Reform of the Political Structure, was withdrawn because it contained an article entitled "Rendering the Party Multidimensional."[101]

By spring 1989, the conservative tide rose. At the second session of the Seventh National People's Congress, 20 March-4 April, the program of political reform was sharply constrained. Li Peng's discussion about political reform was in a section entitled, "Strive to Create a Good and Stable Social and Political Environment." He reported progress in separating party and government and in reforming government departments, but offered no call to continue this program. Emphasis was on party leadership. Reform of government organs at the provincial and municipal levels, scheduled for 1989, was explicitly postponed for an unspecified time. The rule of law was emphasized as a way to prevent social turbulence and chaos. Strengthening socialist democracy was left as a vague slogan, not a specific program.[102] The procedures used to select the members of the Standing Committee became less democratic. In 1988, with much fanfare, NPC delegates had been allowed to vote secretly from a list with more candidates than positions. In 1989,

[97] Fan Cheuk-wan, "Hong Kong, Macao Students Blamed," *Hong Kong Standard*, 10 January 1989, FBIS, 10 January 1989, 27.

[98] "Several Hundred Students of Uygur Nationality Stage a Demonstration in Beijing Today," NCNA, 28 December 1988, FBIS, 29 December 1988, 19.

[99] "*People's Daily* Cited on Grain Shortage," Hong Kong French Press Agency, 22 December 1988, FBIS, 22 December 1988, 33.

[100] Rong Jian, "Is 'Neo-authoritarianism' Feasible in China?" and Wu Jiaxiang, "Commenting on Neo-authoritarianism," *Shijie Jingji Daobao*, 16 January 1989, FBIS, 1 February 1989, 32-35.

[101] Willy Wo-lap Lam, "Inaugural Issue of Reform Journal Withdrawn," *South China Morning Post*, 16 March 1989, FBIS, 16 March 1989, 27.

[102] "Li Peng's NPC Government Work Report," Radio Beijing, 20 March 1989, FBIS, 21 March 1989, 11-31, esp. 25.

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voting was by a show of hands.[103] The meeting did adopt a new law that created procedures for people to sue the government in administrative courts.[104]

Looking forward, one official expected new laws would be passed dealing with price controls, preventing unfair competition, and maintaining public order.[105] Hong Kong journalists reported that the octogenarian leader Chen Yun, with support of senior leaders Bo Yibo, Wang Zhen, Li Xiannian, Deng Yingchao, Yao Yilin, and Li Peng, was seeking to oust Zhao Ziyang from the office of party general secretary.[106]

These conservative moves brought reaction. Hu Jiwei, former editor-in-chief of *People's Daily*, complained that political structural reform and democratic construction were being shortchanged and that the reform program enunciated by the Thirteenth Party Congress in Fall 1987 was not being followed.[107] Chinese political scientist Yan Jiaqi proposed a constitutional amendment that delegates to the NPC be elected by universal suffrage.[108]

Student resentment against the conservative tide crystalized when Hu Yaobang died on 15 April. Hu had become a symbol of reform after his forced resignation in January 1987. The stage was set for renewed student demonstrations. Continuing resentment over inflation and corruption brought massive public support and participation in the student demonstrations. The demonstrations in Beijing were so large and so persistent that they challenged the stability of the regime. Finally, Deng Xiaoping ordered the vicious repression of 4 June 1989 and the purge of reform leaders.

Much will be written about the exciting weeks from mid-April to early June. Historians will long debate whether the bloodshed of 4 June was inevitable or not. Scant hours before the massacre, the participants themselves did not expect such a violent outcome. Nevertheless, with the benefit of hindsight, it is clear that the tensions emerging from reform during the previous years and from elite power struggles in the late years of Deng Xiaoping's regime made it very, very difficult to avoid the violence.

Conclusion

China's experiences from 1986 to 1989 underscore that the process of reform in a communist system, where the economy and political system are merged, is ex-

[103] "Changes in Voting Method for Candidates," Beijing NCNA, 26 March 1989, FBIS, 27 March 1989, 34.

[104] "Administrative Litigation Law Submitted," Beijing NCNA, 28 March 1989, FBIS, 28 March 1989, 7.

[105] "Reform, Economy, Supervision Laws Planned," Beijing NCNA, 28 March 1989, FBIS, 28 March 1989, 10.

[106] Lo Ping, "Notes on a Northern Journey, Li Xiannian Urges Changing the General Secretary," *Cheng Ming*, 1 April 1989, FBIS, 3 April 1989, 39-41; Lo Ping, "Three Attacks Aimed at Overthrowing Zhao," *Cheng Ming*, 1 March 1989, FBIS, 3 March 1989, 22-25.

[107] "Hu Jiwei Cited on Democratic Construction," NCNA 24 March 1989; Lai Pui-yee, "Further on Hu's Criticism," *South China Morning Post*, 25 March 1989, FBIS, 27 March 1989, 20-21.

[108] "Intellectuals Seek Constitutional Amendments," *South China Morning Post*, 27 March 1989, FBIS, 29 March 1989, 38.

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tremely complicated. First, the introduction of market forces in a planned economy creates potential for inflation and official corruption, both of which undermine political legitimacy. Second, the expansion of market forces requires a concurrent restructuring of political and administrative relationships, and this brings anxiety and resentment among those who might suffer a decline in status. Third, the spread of democratic values—particularly among intellectuals, students, and ethnic groups—can bring large demonstrations with difficult political demands. In China, the ethnic minorities comprise less than 10 percent of the population, and they are spread out in the peripheral areas. Their protests have delivered less political punch than those of the students concentrated in Beijing and other major industrial cities.

From an international comparative perspective, such problems are not unique. China's inflation rate of 20–30 percent a year is much lower than the inflation rate in many countries, where triple digit or even higher inflation is known. Nor is China's pattern of official corruption unusual. The recruit scandal in Japan, the corruption in military procurement and federal housing programs in the United States, and the conviction in New York City of nearly one-third of the city's restaurant inspectors for extracting illegal payments[109] all highlight the global pervasiveness of political corruption. Nor are China's ethnic problems, serious as they are, worse than those in South Asia, Africa, the Middle East, or the Soviet Union.

From this perspective, it is surprising that China's political system seemed so fragile in the face of these significant, but hardly unprecedented, challenges. One reason is that the communist merger of politics and economics gives the regime full responsibility for all economic problems. The government cannot blame the market. Second, corruption is especially significant because the regime lacks a sound foundation for legitimacy. It cannot claim to have won a competitive election. It simply claims power on the basis of its victory in a revolution four decades ago. Thus power remains encased in personal relations established decades ago. A third important factor involves the problem of succession. With Deng Xiaoping 85 years old, conservatives were looking for an incident to provide an opportunity to move against the reform leaders. The demonstrations of spring 1989 offered that opportunity.

For these reasons, political reform is critical. The political reform programs that were undertaken in 1988 were significant, but they were not able to provide institutionalized policy making and generate a broad legitimacy based on genuine representativeness. Nor did the reforms consolidate institutionalized political control over the Chinese military forces. Reform was ultimately terminated by the decision of Deng Xiaoping, who yielded to pressures from a very few top leaders, several with close military ties, without involvement of party or government institutions.

In the absence of broad legitimacy, the state first allowed reckless economic policies that allowed monetary expansion in an attempt to create the illusion of growth. Then it used repression and Orwellian media control to resurrect tradi-

[109] *New York Times*, 28 April 1989.

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tional Stalinist and Maoist practices. China's conservatives now hope that the political stresses inherent in socioeconomic change can be overcome by enforced unity within the top leadership, authoritarian control of the elements of state power, prompt repression of deviant behavior, and marginal adjustment of economic policy. How much economic reform can be developed within these traditional policies remains to be seen. In Poland, martial law and repression during the 1980s were not able to provide a political environment for stable development.

In early 1990, reform leaders are arrested, hiding, and in exile; universities stress socialist ideological training and learning from the army and peasants; government propaganda agencies try to create a new history; and there are new constraints on privately owned business. It seems premature to envisage China's next period of reform; but it will come eventually. The critical period will be after the passing of the Deng Xiaoping era, whenever that comes. Reformers may come back into power over a few years, as they did after the passing of Mao Zedong. Alternatively, if Prime Minister Li Peng and Communist Party General Secretary Jiang Zemin can consolidate their rule, reform may not come again until after decades of political and economic stagnation and deterioration. Whenever reform is tried again, learning from the mistakes of 1986–1989 will be a key to success.

Needless to say, the question of political change in China will also be very much influenced by the overthrow of communist systems in Eastern Europe in late 1989. Despite decades of experimentation with reforming the communist system in Hungary, reformed communism was not politically viable in Eastern Europe. Masses of demonstrators insisted on nothing less than ending communist systems, and even the communist leaders saw no alternative. It remains to be seen if communism is more deeply rooted in China than in Eastern Europe, and if Zhao Ziyang's vision of reformed communism can eventually emerge as a viable path for national development. The fact that Eastern European countries did not adopt this approach deeply undermines the strength of this idea for China's future.

At the same time, the economic and political stresses inherent in reforming the communist system that appeared in China in 1987–1989 will plague the noncommunist governments attempting to restructure the old communist systems. One reason that the communist leaders in Eastern Europe did not fight to stay in power was their anxiety about being responsible for managing the introduction of market reforms. Changing communist systems is a great challenge for noncommunist, as well as communist, reformers.

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The Soviet Union and Yugoslavia in the 1980s: A Relationship in Flux

MARK A. CICHOCK

From the 1960s into the 1980s literature dealing with the Soviet-Yugoslav relationship primarily focused on the precarious and often-times conflictive positioning of these two socialist systems.[1] Yugoslav foreign policy has often been represented as something of a schizophrenic condition, pursuing a nonaligned course, yet still a member of a heterogeneous socialist world. Soviet foreign policy, on the other hand, has never quite been able to reconcile itself to independent socialist states, as implicitly expressed in the reality of the Belgrade Declaration of 1955.[2] This admixture of policies has now had thirty-five years to mature or at least to be more certainly defined by its creators. The question that continually confronts the analyst is whether or not such maturity has been attained. If not, how could this still-unique relationship be more accurately characterized?

[1] On the origins of the dispute, see A. Ross Johnson, *The Transformation of Communist Ideology* (Cambridge, Mass.: M.I.T. Press, 1972); Milovan Djilas, *Conversations with Stalin* (New York: Harcourt, Brace, Jovanovich, 1962); and Vladimir Dedijer, *The Battle Stalin Lost* (New York: Viking Press, 1971). More recent literature concerning this relationship includes Dennison Rusinow, *The Yugoslav Experiment, 1948–1974* (Berkeley: University of California Press, 1977); David A. Andelman, "Yugoslavia: The Delicate Balance," *Foreign Affairs* 58 (Spring 1980): 835–51; and Milovan Djilas, "Yugoslavia and the Expansionism of the Soviet State," *Foreign Affairs* 58 (Spring 1980): 852–66.

[2] This point is taken up by, among others, Alvin Z. Rubinstein, *Soviet Foreign Policy Since World War II, Imperial and Global*, 2nd ed., (Boston: Little, Brown, 1985), 252–6; this theme is also pursued by Sarah M. Terry, "The Soviet Union and Eastern Europe: Implications for U.S. Policy" in Dan Caldwell, ed., *Soviet International Behavior and U.S. Policy Options* (Lexington, Mass.: Lexington Books, 1985).

MARK A. CICHOCK is assistant professor in the department of political science at the University of Texas at Arlington. He is author of *Adjusting the Balance: Federal Policy and Victim Services* and co-editor (with Charles J. Bukowski) of *Prospects for Change in Socialist Systems: Challenges and Responses.*

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These questions take on added importance as both the Soviet Union and Yugoslavia have undergone substantial processes of change since the end of the Brezhnev and Tito eras. While these leadership changes in themselves may not have altered the foreign policy relationship, they have certainly contributed to the need for both sides to reexamine the basis of that relationship. Both states have been caught up in reform programs dictated by long-standing political, social, and economic problems. Additionally, both states' governing systems have recognized the impact of domestic changes wrought upon the regional or international environments. Soviet domestic reforms initiated under Mikhail Gorbachev are necessitating a "new thinking" in regard to Soviet-Yugoslav relations. It is by no means as certain that other elements of the Soviet leadership (for example, Yegor Ligachev) applaud the broad sweep of Gorbachev's program. The contention of Soviet Deputy Foreign Minister Vladimir Oginov on the occasion of Gorbachev's March 1988 visit to Yugoslavia that "all ways to building socialism are valid" was bound to be viewed with skepticism by conservative elements.[3] Instead of simply defining the boundaries of *perestroika* (restructuring) between communist states, the Soviet-Yugoslav relationship has in one sense tested the limits of reform inside the Soviet Union itself. At the same time, the political dynamics within Yugoslavia (ethnic unrest, splits within the League of Communists of Yugoslavia) have caused a reorientation of the Yugoslav perspective towards *perestroika*.

Since 1948 Soviet foreign policy makers have had good reason to be wary of Yugoslavia's ventures in global politics and economics. The policy of nonalignment that took shape in the mid-1950s initially posed little threat to the cohesion of the Soviet bloc. By the early 1960s, however, parallel (although generally disavowed as being imitative) actions were being pursued in both China and Romania.[4] Similarly, the vaguely defined concept of workers' self-management proved itself to be infectious as early as 1956–1957 in Poland.[5] Although self-management in the Yugoslav form has not been formally adopted by any other socialist system, elements of the policy have occasionally appeared in Hungary and Czechoslovakia. Both the ideas of self-management and nonalignment have been made into the cornerstones of Yugoslavia's dynamic "separate path." With the Yugoslavs molding these ideas into concrete, functional policies, the Soviet Union has found it necessary to accommodate itself to these policies.

[3] "Taking Glasnost on the Road," *Christian Science Monitor*, 16 March 1988.

[4] A good historic analysis of China's break with the Soviet Union is to be found in R.K.I. Quested, *Sino-Russian Relations, A Short History* (London: George Allen and Unwin, 1984), esp. chap. 11. On Romania's movement towards nonalignment see Michael Shafir, *Romania: Politics, Economics, Society* (Boulder, Colo.: Lynne Rienner Publishers, 1985), chap. 10.

[5] The essence of the Law on Worker's Councils for Poland may be found in Branko Horvat, Mihailo Markovic, and Rudi Supek, eds., *Self-Governing Socialism*, vol. 1 (White Plains, N.Y.: International Arts and Sciences Press, 1975), 244–5; also see the article by Kazimiercz Grzybowski, "Polish Workers' Councils," *Journal of Central European Affairs* 17 (October 1957): 273–86; Solomon John Rawin, "Social Values and Managerial Structure: The Case of Yugoslavia and Poland," *Journal of Comparative Administration* 1 (August 1970): esp. 139–42.

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The Soviet leadership's responses to the Yugoslav challenge may be briefly characterized in the following manner. First, over the years Soviet policies have been utilized to restrict or at least to minimize the impact of Yugoslav policies upon other socialist states. This represents a basically conservative policy orientation that was well represented throughout Leonid Brezhnev's tenure as Soviet general secretary. Thus, the rigidities and limitations of the Soviet leaders' belief systems have had a subsequent narrowing effect on policy options to be taken regarding Yugoslavia.

Second, Soviet leaderships have come to recognize the limitations of their abilities to fundamentally alter the nature of the Yugoslav regime. This does not mean Soviet leaders have been unwilling to try to change that system; the arrests inside Yugoslavia in 1975–1976 of a number of so-called Stalinists for trying to form an underground organization point this out.[6] Soviet methods of creating underground cells to destabilize the League of Communists of Yugoslavia (LCY) leadership are both a throwback to the Comintern struggles of the 1930s and a vivid expression of Soviet frustrations at being incapable of effecting change otherwise.

A third response would entail a new direction for Soviet-Yugoslav affairs. The Soviet leadership of the last few years has come to accept certain constraints inherent in the Yugoslav system for the diffusion of the Yugoslav style of socialism. Concurrently, both internal and external conditions that have had an impact upon Yugoslav policies are altering the potential for Soviet influence in that state. If such a proposition holds true, the Soviet Union would find less of a need to accommodate itself to Yugoslav realities. Consequently, the Soviets could relax the intensity of pressures for change in interstate relations, as already seems to have happened since Gorbachev became general secretary. Under the present conditions, the Soviets can affect change in Yugoslavia with a minimum of effort.

This article examines Soviet policy towards the Yugoslav state and party. It is first of all a case study taken from the Soviet perspective and, secondly, one that has taken into account Yugoslav actions and reactions. The question at hand is whether or not the Soviet Union is currently experiencing a rising level of influence in Yugoslavia. The Yugoslav system has been unable to cope with many of the problems confronting it; as such, the Soviet Union may be considered an alternative solution to much of the political and economic immobilization of the previous decade. This is not an optimal situation for the Soviets; nevertheless, some gains may be seen. The causes and extent of these gains and their importance to Soviet foreign policy are considered in the following sections.

Option One: Restricting Innovation Diffusion

The transition-oriented Yugoslavia of the late 1970s and early 1980s posed less of a threat to Soviet aims than it had in the immediate post-1948 period. Uncertainties surrounding the characteristics of the nascent post-Tito leadership, the co-

[6] *New York Times*, 23 October and 6 November 1975; also 22 January 1976.

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hesiveness of the political system, and the viability of the economic growth model abounded. As in the past, however, periods of internal crises hindering Yugoslav development were interspersed with unique opportunities for external diffusion of innovations. Thus, decentralization of decision making, viewed by some as an effort to address the issue of reform,[7] may well have been considered to be a palatable alternative to centrally-planned economies by East European elites. With East European regimes seeking a way out of economic stagnation (a poor reflection of the Soviet model of development), Yugoslav growth-oriented strategies seemed more significant. Basically, these involved the use of market elements to stimulate production quality and efficiency based on limited supply-and-demand criteria. Gradually, some local East European party bodies began to call for their own reforms within the framework of workers' self-management.[8] Not surprisingly, the Soviet position on such change was called into question.

In itself, regime-instigated change in communist states has been a process that required careful consideration by national elites and cautious consultation with Moscow, as evidenced by the Prague Spring of 1968.[9] The introduction of Hungary's New Economic Mechanism (NEM) in 1966[10] also raised the issue of Eastern Europe as a "laboratory" for economic experimentation as monitored by the Soviet Union.[11] Very little has ever been mentioned by the Hungarian elites concerning the debt they owe to their Yugoslav counterparts for their original decisions to decentralize. This may be partially attributable to the stigma that still underlines Yugoslav ideological innovations first established following the Cominform expulsion of 1948. This is not to argue that the Hungarian model of decentralization is directly descended from the Yugoslav; the timing of these programs' implementation alone precludes this.[12] Romanian commentator Silviu Brucan implied just

[7] Bogdan Denitch argues that the process of decentralization in Yugoslavia is as much a matter of attaining regime legitimation as it is a true concern for reforms; see his "Yugoslav Exceptionalism" in Jan F. Triska and Charles Gati, eds., *Blue-Collar Workers in Eastern Europe* (Boston: George Allen and Unwin, 1981), 256–8.

[8] See the comments by Rudolf L. Tokes on Hungarian reform in the article "Hungarian Reform Imperatives," *Problems of Communism* 33 (September–October 1984): 18.

[9] For an analysis of the political events within Czechoslovakia leading up to the Soviet intervention of August 1968, see John F. N. Bradley, *Politics in Czechoslovakia, 1945–1971* (Washington, D.C.: University Press of America, 1981), 180–96; also, Jiri Valenta, "Soviet Policy Toward Hungary and Czechoslovakia" in Sarah M. Terry, ed., *Soviet Policy in Eastern Europe* (New Haven, Conn.: Yale University Press, 1984), 97.

[10] For two early western interpretations of the development of the NEM, see Harry G. Shaffer, "Progress in Hungary," *Problems of Communism* 19 (January-February 1970): 48–60; also, Charles Gati, "The Kadar Mystique," *Problems of Communism* 23 (May-June 1974): 23–35.

[11] See Valenta, "Soviet Policy," 123–4. This is also briefly alluded to by Joseph C. Kramer and John T. Danylyk, "Economic Reform in Eastern Europe: Hungary at the Forefront," *East European Economic Assessment, Part 1—Country Studies, 1980* (Washington, D.C.: Joint Economic Committee of the U.S. Congress, 1981). Of special merit is the study that focuses specifically on the subject of innovation diffusion by Zvi Gitelman, *The Diffusion of Political Innovation: From East Europe to the Soviet Union*, Comparative Politics Series 3 (Beverley Hills, Calif.: Sage Publications, 1972).

[12] The state of confusion in the Yugoslav economy preceding the reform of 1965 could not have

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this point in stating, "As a whole . . . the Hungarian model is neither a 'return to capitalism' nor what is called market socialism."[13]

For the Soviets, bilateral relations between themselves and the Yugoslavs is one matter; to accept an alternative model of development generated by a rival socialist system is quite another situation. That such a sense of rivalry exists is pointedly referred to in the early 1980s Polish crisis marked by the emergence of Solidarity. As the Polish trade union groped for a strategem by which its goals could be realized, one possibility presented itself in the Yugoslav experience with self-management. In fact, the Poles had already experimented with this as early as October 1956.[14]

The Yugoslav Law on Self-Management was originally created in 1950,[15] but by the latter part of that decade it still remained more of a theoretical construct than an economic reality. In 1980, workers' self-management was both a functional and fundamental element of Yugoslav socialism—so much so that its export came to be viewed as a legitimizing agent for the Yugoslav state itself. Thus, in referring to the Polish case in 1980, the following statement by a Yugoslav commentator is worth noting:

> The centralized system of planning and management, which has suffered a complete debacle, will have to be replaced by different forms of decentralization and material stimulation in order that all the economic potentials can be mobilized. . . .[16]

The utility of a given model generally rests upon several factors: applicability, potential for survival, and the costs incurred both politically and economically. There has been little question that popular opinion in states such as Poland, Czechoslovakia, and Hungary has judged some semblance of Yugoslav self-management to be both workable and desirable. A similar sense of confidence in the phenomenon has not been held by these states' elites, however. In a 1982 article about the Polish military leadership and the need for reforms in Poland, Yugoslav political scientist Radovan Vukadinovic concluded: "New forms of development that should rest firmly on economic reform and the evolution of self-management, have few backers [among the military] and certainly no chance of being put through faster. . . ."[17]

The economic and political costs of accepting Yugoslavia's model vary considerably given the internal and external conditions prevalent in the adopting state.

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been seen as a viable model to be followed by any other state. These reforms were in response to a growing crisis and have taken shape only over an extended period of time. See Martin Schrenk, Cyrus Ardalan, and Nawal A, el Tatawy, *Yugoslavia: Self-Management Socialism, Challenges of Development* (Baltimore: Johns Hopkins University Press, 1979), 25–7.

[13] Silviu Brucan, *The Post-Brezhnev Era* (New York: Praeger Publishers, 1983), 75.

[14] See, for instance, Jiri Kolaja, *A Polish Factory* (Lexington: University of Kentucky Press, 1960).

[15] Horvat, et al., *Self-Governing Socialism*, vol. 1, 256–7.

[16] Ranko Petkovic, "The Polish Events," *Review of International Affairs* (Belgrade) 31 (20 September 1980): 12.

[17] Radovan Vukadinovic, "Internal Actors in Polish Developments," *Review of International Affairs* 33 (20 September 1982): 6.

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Self-managing socialism would be highly disruptive if rapidly implemented by centrally-planned economies (CPEs) such as Poland and Czechoslovakia were prior to late 1989. As has been seen in the Soviet Union, the shift of decision making from central government and party organs to local bodies has been perceived as a challenge to entrenched interests, particularly those of the bureaucracy. The result is a strong resistance to decentralization.

During Lenoid Brezhnev's years in power, the Soviet position on diffusion of Yugoslav innovations depended on whether the innovation was designed to transform the socialist decision-making structures or instead only to alter parts of them. Distinctions seemed to be made between systemic transformation and structural alteration, thereby indicating that the Soviets were willing to allow degrees of change in the East European systems. The alternatives to such change—threshold conditions producing systemic transformation—were generally unacceptable to Soviet interests and resulted in Soviet policy responses like those of 1956 and 1968. The determination of thresholds would vary from one socialist state to another; however, a brief description of the parameters conditioning Soviet responses is possible.

Two general parameters have historically prevailed: a state's adherence to the Warsaw Treaty Organization (WTO); and internal or external challenges to the dominant role of the Communist Party. Of these two considerations only the latter had been directly relevant to Yugoslavia, and as a result of the dramatic upheavals in Eastern Europe since October 1989 its importance seems almost insignificant now. This latter factor has long provoked the sensitivities of the leadership of the Communist Party of the Soviet Union (CPSU). When the Soviets found evidence supporting challenges to this fundamental Leninist principle, their reaction was always sharp. The Yugoslav leadership's conscious promotion of its version of intraparty democracy to neighboring states certainly stimulated Soviet concern. An example of how the Yugoslavs pursued this form of policy diffusion is shown in a 1981 analysis of Hungarian politicoeconomic development:

> . . . in Hungary today the Party should create opposition to itself within the framework of its own mechanism, by clearer and more complete insight by the broader masses into state and party policy, a system of control and other fulcrums.[18]

Such comments seemed to be designed to divert Soviet (and possibly Hungarian) attention away from Yugoslavia's more pressing problems of national unrest.[19]

In many respects the LCY's long struggle towards intraparty democracy has served as a precedent for the Soviet reform process now underway. The Yugoslav variant of democracy stems from the existence of eight (republican and provincial) party organizations within the context of the LCY. Over a period of more than twenty years, these organizations have developed autonomous identities that were almost totally at odds with the Soviet experience. In the period since Gorbachev came

[18] Milos Corovic, "Hungary: Development Imbued with Democratisation," *Review of International Affairs* 32 (20 January 1981): 17.

[19] Corovic, "Hungary," 18; also, see the remarks of member of the LCY Presidency, Dimce Belovski, "Balkan Realities," *Review of International Affairs* 34 (5 August 1983): 1-3.

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to power in the Soviet Union the program of *perestroika* has attempted to foster "a new atmosphere of inter-relations of the local and central parties, the soviet and economic organs."[20] But this was not truly equivalent to the division of power characteristic of the LCY and its regional organizations. In at least one sense, however, the CPSU and the LCY have kept abreast of each other—that is, in efforts by regional party bodies to distance themselves from the parent structure. Thus in January 1990 the Lithuanian party organization declared itself independent of the CPSU, and in the beginning of February 1990 the Slovenian republican party followed suit in relation to the LCY.

As with the other socialist systems of Eastern Europe, the real issue for Yugoslavia remains the role of the LCY. Within Yugoslavia debate continually surfaces on the party's need to democratize decision making. As the Yugoslav critic Svetozar Stojanovic presaged the issue several years ago:

> If Yugoslav communists want to maintain their special position in the state and society with the consent of the people, then they would have to put forward truly distinguished candidates to be directly elected by secret ballots at all levels.[21]

Reestablishing the link between the party and the people has also been a constant refrain of Gorbachev, and in this the Soviet leader seems to have taken a cue from the Yugoslav reformers. But the divisiveness within the LCY caused by the competition of republican and provincial party organizations has not precipitated a parallel situation in the Soviet system. The distinct regionalism of the Yugoslav case has resulted in the individual units trying to gain a measure of control over the LCY's Central Committee; and to a large extent they have succeeded, based on regional appointments to that body.[22] In addition, the LCY has long since altered the Soviet version of democratic centralism to permit decision-making minorities to retain their views after policies have been decided upon. Thus, there isn't the strict conformity to centralized decision making previously found in the CPSU.[23] For the Soviets, such an occurrence inside Yugoslavia used to be both dangerous for the precedent it set,[24] and laden with opportunities for system disruption and enhanced Soviet influence.

Option Two: Limitations of Influence

To analyze the limitations and extent of Soviet influence over the Yugoslav system, both interstate and interparty relationships can be focused upon. Typically, the

[20] *Pravda*, 25 June 1986.

[21] Svetozar Stojanovic, "Reforms in Yugoslavia," *Telos* 61 (Fall 1984): 128

[22] See Pedro Ramet, "Political Struggle and Institutional Reorganization in Yugoslavia," *Political Science Quarterly* 99 (Summer 1984): 295.

[23] *Statute of the League of Communists of Yugoslavia* (Belgrade: Socialist Thought and Practice, 1979), 25.

[24] See the observances of TASS during the 13th Party Congress of the LCY in 1986, 28 June 1986, translated by Foreign Broadcast Information Service (hereafter FBIS), Soviet Union (SOV), 30 June 1986.

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Soviets divide their attentions between these two factors, thereby implying that policy is evenly focused on each issue. Both relationships are highly profiled in the Soviet media, and the interrelated nature of the party's and state's functions are continually pointed out by Soviet commentators and officials. The Yugoslavs themselves have frequently commented on the importance of these interrelated issues in their own media.[25] But Yugoslav demands for intrasystem democratization have been conspicuously absent in the major Soviet newspapers. Instead, LCY party members who support centralizing tendencies in Yugoslavia and present their views within the context of Leninist principles are given the most attention by the Soviets.

From the Soviet perspective, the most pressing problems confronting the LCY in the mid-1980s are: the visible lack of respect for the LCY's authority; a diminished sense of social responsibility; and the lax attitude towards the construction of socialism.[26] As an example, the Soviets lay a heavy emphasis on the observance of laws pertaining to the implementation of the Long-Range Program of Economic Stabilization – that is, the LCY's ongoing effort since 1983 to put the Yugoslav economy back on track.[27] The picture that has been routinely portrayed in the Soviet press is that of the LCY valiantly struggling to realize its program of economic rationalization, beset as it is by the diversity of national interests.[28] By focusing attention on economic difficulties, especially those caused by the various political units in Yugoslavia, the Soviets had implicitly found fault with the indicative system of economic planning, and in particular with market forces.[29] The shortcomings of the mixed economy would be subtly highlighted, including the problems that Yugoslavia faces with rampant, seemingly uncontrollable inflation (estimated at 1,000 percent in December 1989).[30]

In the latter part of 1985, the LCY busied itself with preparations for its Thirteenth Party Congress to be held the following June. At that point Soviet officials began to pay an increasing amount of attention to LCY intraparty debates; they keenly watched the LCY's abilities to motivate its membership to take a more active role in the direction of society. This appears to be in direct reference to a plenary session of the LCY's Central Committee held on 19 November 1985, wherein a virtual stagnation of growth in new party memberships was stated to be a cause for some "anxiety" by the LCY leadership.[31] From the Soviet side, rectification of this problem involved strengthening the principle of democratic centralism. Very

[25] See the comments of the president of the LYC's Central Committee Presidium, Milanko Renovica, Joint Statement on the Visit to the Soviet Union of a Delegation of the League of Communists of Yugoslavia, *Review of International Affairs* 38 (20 January 1987): 15–16.

[26] *Pravda*, 7 February 1984.

[27] *Borba* (Belgrade), 15 July 1983, supplementary issue.

[28] *Pravda*, 7 April and 13 June 1984; 21 and 24 March, and 17 July 1985.

[29] *Pravda*, 3 November 1985.

[30] Ante Marcovic, "Programme of Economic Reforms in Yugoslavia," *Review of International Affairs* 40 (20 December 1989): 9.

[31] *Pravda*, 20 November 1985.

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little would have pleased hardline elements of the Soviet leadership more at this point than to have pro-Soviet factions within the LCY successfully engineer a return to this basic Leninist principle. The prospects of this happening, however, were highly unlikely when the diversity of Yugoslav national and bureaucratic interests were considered.[32]

While the strict leadership rotation system in the LCY and the equally difficult policy of proportional representation based on nationalities caused some confusion within the Yugoslav system, these policies also left the Soviets somewhat perplexed. The former Soviet strategy of playing upon factional rivalries within the LCY was simply not enough to engender increased Soviet influence. The interplay of national groupings has created a multidimensional scenario in Yugoslav politics that is exceedingly difficult for the Soviets to master. This pluralism within the LCY resists overt domination primarily by uniting less powerful factions against any one group that appears to be gaining too much power or privilege. Thus, in the Croatian crisis of 1971 and the Kosovan problems beginning a decade later the party closed ranks behind federal authority. Although this does not spell out a true sense of party unity, it does indicate that the various segments of the party are unwilling to allow any one group to gain substantial advantages over the others.

Given these considerations, the Soviets have responded by putting increased emphasis on interstate relations as compared to interparty ties. Unlike any of the other socialist states in the region, some semblance of institutional autonomy exists between the Yugoslav party and state structures. For instance, at the highest decision-making levels—the collective presidencies of party and state—there is a noticeable absence of the type of interlocking directorate common in the Soviet model. Typically, the SFRY (Socialist Federal Republic of Yugoslavia) and LCY presidencies do not have any common members; nor, for that matter, is there any commonality between them and the Federal Executive Council.[33] Simply stated, members of these various bodies do not serve concurrently on other federal or party bodies. This indicates that the basis of decision making may be more diversified than it is in the Soviet Union.

The degree of Soviet and Yugoslav intergovernmental cooperation grew considerably for the years 1985–1988. From the Yugoslav side these years have been of considerable importance for at least four reasons: the persistence of economic difficulties; the thirtieth anniversary of the signing of the Belgrade Declaration; the preparatory work leading to and directives resulting from the Thirteenth Congress of the LCY; and the 1988 visit of Gorbachev to Yugoslavia. The first two shall be concentrated upon here, for they have been root causes of intensified intergovernmental contacts.

[32] See the interview of Federal Executive Council President Branko Mikulic in *Der Spiegel*, FBIS, East Europe, 24 March 1987.

[33] This point was initially made by Robin Alison Remington in her chapter, "Yugoslavia" in Teresa Rakowska-Harmstone, ed., *Communism in Eastern Europe*, 2nd ed. (Bloomington: Indiana University Press, 1984), 249. The current composition of these bodies may be found in John Paxton, eds., *The Statesman's Yearbook*, 1987–88, 124th ed. (New York: St. Martin's Press, 1987).

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Over this four year period, any number of official governmental visits took place between the two states. More often than not these occurred at the federal level, but during this period a number of more localized or regional contacts were furthered. Delegations from the USSR visited Serbia, Montenegro, Croatia, and Slovenia, while delegations from the SFRY visited various parts of the Soviet Union. Such visits are aimed at enhancing economic cooperation, especially technological development.[34] Still, it could be inferred that the Soviets sought to promote their views on central planning to a more diverse Yugoslav audience than the federal leaders.

The extent of intergovernmental economic cooperation also expanded during this period. While this cooperation may indicate some increased Soviet influence with the Yugoslavs, it also points to a situation the Soviets have long sought to achieve. There is little question that Yugoslavia could serve as a channel by which the Soviet Union may receive western technology, although this is denied by the Yugoslavs. Pinpointing the exact origin of a particular technology is at best difficult. Nevertheless, a degree of cooperation has been established, raising the question about which party the relationship will benefit the most. For example, a protocol concerning scientific-technological cooperation in the field of agro-industrial complexes was signed in March 1984.[35] Another protocol dealing with cooperation in energy-related, mechanical engineering and automated production fields was agreed upon by the two countries in June 1985.[36] Scientific and technical cooperation was again heavily emphasized by the Soviet side in the talks that formed the basis of former SFRY Prime Minister Milka Planinc's July 1985 visit to the Soviet Union.[37] And finally, in December 1986 a Yugoslav agriculture consortium concluded a $400 million export and development contract for work in the USSR.[38]

CPSU and LCY officials have also met frequently during this period to consider the extent of economic cooperation and the direction this economic relationship should take. Especially important in this regard was the signing of the Long-Range Trade Agreement in 1985 and the December 1986 visit to the Soviet Union of LCY President Milanko Renovica during which "frank discussions" on economic questions were held.[39] Describing the negotiations in this fashion does not give the impression of positive accomplishments in this area; the situation may be made worse by the advantage that Yugoslavia holds with the Soviet Union in their balance of trade (a two-billion dollar surplus in 1988). Because of this, Soviet influence on this level is limited and probably will not improve in the near future.

The Belgrade Declaration. A better understanding of interstate and interparty relationships is dependent upon a brief description of the rapprochement between

[34] TANJUG, 2 April, 12 and 14 May 1987, translated in FBIS, East Europe, 8 April, 11 and 13 May 1987.

[35] *Pravda*, 9 March 1984.

[36] *Pravda*, 24 June 1985.

[37] *Pravda*, 5 July 1985.

[38] TANJUG, 16 December 1986, translated in FBIS, East Europe, 17 December 1986.

[39] Ibid.

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the Soviets and Yugoslavs achieved in the 1950s. After seven years of open hostility (1948–1955), Soviet leaders Nikita Khrushchev and Nikolai Bulganin launched a new era in the development of the socialist community by signing the Belgrade Declaration on 2 June 1955. From the Yugoslav perspective, the declaration meant the total reshaping of principles governing relations between states:

> . . . it was possible for a small country successfully to resist the pressure of a whole bloc and safeguard its right to an independent and equal status within the groups of socialist countries and in the entire international community.[40]

Equally important for the Yugoslavs, the declaration guaranteed the ideal of different paths to socialist development and the legitimacy of the system of workers' self-management.[41] From the Soviet side, the visit by Khrushchev and Bulganin was part of a deliberate policy to further the process of de-Stalinization, and to put Khrushchev's own imprint on foreign policy.[42] While this proved to be a rather short-lived strategy and relations soon deteriorated once again, the declaration did affirm that the Soviets would now recognize the idea of sovereignty for each state in its own affairs.

The rapprochement was one developed strictly on a state-to-state basis and was not ideological in character.[43] In fact, at the time of Khrushchev's and Bulganin's visit, the Soviet leaders exhibited a pointed lack of interest in the institutional performance of self-management;[44] whether their Yugoslav hosts took exception to this attitude is not known, but it is certain that Joseph Broz Tito and his compatriots had proven their point about independence. From then on, the Yugoslavs had their Soviet counterparts at a disadvantage. The Soviets would have to deal with them on an equal footing, rather than as patron to client. The best option available to the Soviets was to downplay the significance of the declaration and to put it within the larger context of "the future development of relations between socialist countries."[45]

Since 1955 the status of this relationship has not always been positive. To accuse the Soviets of blithely ignoring the Belgrade Declaration and the realities of a changing socialist world community would be to grossly overstate an understandable Soviet desire to reassert its primacy in the socialist community. The relationship between these two states has undergone constant progression and regression over the space of thirty years, with both sides seeing utility in the declaration. From the standpoint of the Yugoslavs' real and imagined vulnerabilities, the declaration

[40] Ranko Petkovic, "The Belgrade Declaration," *Review of International Affairs* 36 (5 June 1985): 3.

[41] For the original text of the Declaration see *Pravda*, 3 June 1955.

[42] William Zimmerman makes this point in his article, "Soviet Relations with Yugoslavia and Romania" in Terry, *Soviet Policy in Eastern Europe*, 131.

[43] This point is recounted in an analysis in the *Times* (London) at the time of the Belgrade Declaration; 3 June 1955.

[44] *The Times* (London), 2 June 1955.

[45] B. Ponomaryon, A. Gromyko, and V. Khvostov, eds., *History of Soviet Foreign Policy, 1945–1970* (Moscow: Progress Publishers, 1974), 274.

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serves as a vital element of international law, as a shield against outside intrusion or manipulation. It has become one of the essential support mechanisms of the policy of nonalignment, furthering the direction to be taken by an independent socialist state.

In the context of 1955, the Yugoslav path was still regarded as an anomaly and would remain as such despite the Sino-Soviet split of the early 1960s. In fact, China's independent path precluded any form of association with Tito's "deviation" until the leadership of Mao Zedong and his followers in China had finally passed from the scene in 1977–1978.[46] The path of nonalignment was one that garnered little or no support from other maverick socialist states during some very crucial years for Yugoslav foreign policy. Romania alone was to follow the Yugoslav lead, but only beginning in 1975 and then in altered form.

Whether the Soviets liked it or not, the legitimation of the Yugoslav ideal of differing paths to socialism limited the Soviet propensity and ability to take action against such independence. Most worrisome to the Soviets, however, was not the latitude of movement accorded the Yugoslavs, but rather the spillover effect of this independence that was seen by the Soviets in such states as Poland, Hungary, and Romania. The trick for the Soviets became one of balancing bloc unity against claims for autonomous action, a struggle that found expression in both Czechoslovakia (1968) and Poland (1980–1981). While to this point in the 1980s the Soviet Union still steadfastly resisted any policy adaptation that threatened alliance cohesion, the differing paths doctrine can no longer be strictly applied to the Yugoslav case.

Option Three: Constraints Upon Yugoslav Action

The final characterization of Soviet-Yugoslav relations is one that relies on events that have transpired since the death of Tito in 1980. Neither subtle nor substantial changes in the Soviet-Yugoslav relationship may be attributable exclusively to that period, because the factors affecting such changes have long been in place. But in a symbolic sense, 1980 was a watershed year. At this point the institutional structuring so carefully crafted by Tito and the LCY's chief theoretician, Edvard Kardelj, was fully put to the test. As well, the beginning of the new decade saw the compounding of numerous problems. The ever-present nationality crisis seemed to be imploding at the foundation of the multiethnic state;[47] economic disaster also appeared imminent with the worsening of the debt crisis.[48]

While these were the obvious traits of the crisis that now enveloped the system, they were certainly not the only problems; nor would their solutions totally eliminate the crisis. Rising rapidly to the surface was the perennial problem of Yugoslav

[46] For Soviet reactions to the visit to Yugoslavia by Hua Kuo-feng see the *New York Times*, 20 and 29 August 1978.

[47] Steven L. Burg, "Elite Conflict in Post-Tito Yugoslavia," *Soviet Studies* 38 (April 1986): 170–3.

[48] Mate Babic and Emil Primorac, "Some Causes of the Growth of the Yugoslav External Debt," *Soviet Studies* 38 (January 1986): 69–88.

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workers returning home from abroad when foreign job opportunities dried up. The guest worker situation had long provided the federal and republican governments with an out. A channel was created through which unemployed and underemployed workers could be readily diverted, thereby alleviating burdens placed on the local and national economies. The return to Yugoslavia of these workers in the 1980s has placed a considerable strain on the system's abilities to provide work and has resulted in a burgeoning unemployment rate variously estimated to be between 7 and 14 percent yearly.[49] To combat this problem, governmental efforts have focused on decentralization and a greater market role in the economy as proposed by the Long-Range Program.[50] The further removal of state controls from certain sectors of the economy has tended to exacerbate conditions of unemployment. Thus, this aspect of the short-term economic picture is not positive, even though for the long-term the plan may hold out favorable circumstances. First, it must be able to withstand political pressures.

This third option also takes into account the successes or failures of the Yugoslav leaders in diffusing their particular policy innovations to other socialist states. In fact, this option shows Yugoslavia's system with little room to maneuver in terms of gaining greater acceptance for its policies. With the policies of self-management and nonalignment receiving no significant new adherents in the 1980s, Soviet policy could be relaxed against this potential threat. Under these circumstances, Soviet policy has not had to be as intense as it was in the past. Instead of forcing the need for greater accommodation on Yugoslavia, the Soviet Union's leaders could under this scenario let the SFRY come to them. A certain advantage in the relationship, therefore, lies with the Soviets, who would be convinced that they have what the Yugoslavs desire and need.

In a somewhat paradoxical sense, the LCY has taken on the image of a pluralistic party organization committed in theory to the idea of democratic centralism, while in reality adopting Marxism-Leninism to its own conditions. What has evolved in Yugoslavia is a multidimensional party organization, effectively divided into eight republican and provincial parties, each of which is further divided according to what has been labeled "tendency groupings."[51] These groupings represent ideological approaches concerning control over political and economic life in the country. As a number of these tendencies may appear within a single regional party organization, the LCY as a whole appears to be even more divided and less able to make policy. The governing statutes of the LCY definitely understate their divergence from Marxism-Leninism in the pre-1990 Soviet form by proclaiming Yugoslav communism as having "adopted an active and creative approach to Marxist theory."[52] Soviet influence over the LCY is muted by the LCY's very divisiveness; but so too is the LCY's ability to influence others minimized by this particular trait.

[49] *Yugoslavia, OECD Economic Surveys, 1986/1987*, 11, no. 62.
[50] See the Long Range Programme for Economic Stabilization, *Borba*, 15 July 1983.
[51] Burg, "Elite Conflict," 187.
[52] *Statute of the League of Communists of Yugoslavia*, 10.

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Recognizing the weaknesses inherent in their system, the LCY leadership has found it necessary to forewarn anybody who would try to capitalize on this condition. Caught between internal and external pressures (nationalist and internationalist), at its January 1986 meeting the LCY's Central Committee stated that these pressures:

> . . . tended to favor the emergence of different anti-socialist forces and tendencies. The latter have been particularly active . . . in their aggressive attempt to impose bourgeois-liberalist and statist-bureaucratic alternatives to the socialist self-management character and course of development of our socio-political system.[53]

Whether or not the Central Committee was responding specifically to a perceived Soviet threat is not clear, although the term "statist-bureaucratic" is a euphemism for centralism based on the Soviet model.

It does not seem likely that the Yugoslavs have to concern themselves substantially on the issue of self-management and Soviet disapproval of it. The Soviets have not shown any overriding interest in the success or failure of self-management. Until Gorbachev, Soviet concerns have involved the degree of influence they may or may not have with a given country. If the Soviets had greater control over Yugoslav policy making, it seems likely that more economic and political centralization would be demanded, even given the moderate stances of Gorbachev. This would not entirely eliminate or even substantially alter the self-management system. What needs to be pointed out is the degree of influence the Soviets have developed since 1980, particularly after 1985. This determination is based on the assumption of a relatively benign Soviet response to the internal difficulties currently plaguing Yugoslav national policy.

Determining the Degree of Influence

Degrees of economic dependence or independence are much easier to discern than are political ones. This is principally because of the measurable quality of economic indicators such as balance, volume, and direction of trade; foreign indebtedness; and extent of aid programs. It is misleading to automatically assume that such factors correspond exactly to increases or decreases of influence in the political sphere. Such an assumption about a country as stubbornly independent as Yugoslavia would be badly misleading, as is indicated in the following statement by Radovan Vukadinovic:

> Soviet policy will . . . in its approach to Yugoslavia try at any price to maintain its trade primacy and possibility of a massive presence in various sections of the country on the grounds of trade and coproduction agreements.[54]

[53] "The Conclusions of the Central Committee of the LCY," *Socialist Thought and Practice* 26 (March 1986): 97.

[54] Radovan Vukadinovic, "Yugoslavia's Foreign Policy in the Period Ahead," *Review of International Affairs* 38 (20 October 1987): 20.

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The clear implication here is that the Soviets seek political influence by means of economic involvement with the Yugoslav state.

The Economic Picture. The strength of the Yugoslav economy has been in a state of general deterioration since 1979. External as well as internal factors are equally held accountable for the slide in purchasing power of the dinar, the rise of inflation, and the increase of unemployment. While problems in these sectors were in existence long before the onset of the 1980s, their conditions were greatly aggravated over the last eight years leading to what can best be described as a sustained economic crisis. After years of steady growth, personal income levels declined following 1980; as an issue considered to be of great sensitivity within a modernizing populace, the government established in 1985 that real average earnings were to be increased, although not at a rate that could set off an inflationary spiral.[55] Nevertheless, to raise personal income encourages domestic consumption, which in recent years had been quite closely associated with the import of foreign goods and manufactures. The government and the LCY have rejected such a strategy, since it lies at the heart of the foreign debt crisis, another priority of great importance.[56] The strength of the central government and party organizations to deal with these two problems remains in doubt, as the individual republics resist efforts at greater centralization. Economic analysts see republican intransigence against central government authority as the major obstacle to solving the crisis as it now stands.[57] On this point Soviet commentators tend to agree; however, they refrain from commenting on specifics of reform for the Yugoslav system. Nevertheless, the attitudes of the various republics towards centralization is only one of several explanations concerning the deterioration of the overall economy.

With the deterioration of the Yugoslav economy in the mid-1980s came a downturn in economic interaction with the market economies of Western Europe. A problematic decrease in hard-currency reserves has severely curtailed Yugoslavia's abilities to trade with these countries. As it is, of the foreign debt (of roughly $20.75 billion in 1986) 60 percent was owed to West European creditors. The Yugoslavs have managed to forge a strategy that essentially involves the rescheduling of parts of the debt, continued payment of at least the interest accrued, and the negotiation of several new loans with various western consortiums. This has provided Yugoslavia a breathing space in which it may rejuvenate its economy and deal with the problem of rampant inflation.

Paying off such a substantial foreign debt has meant curtailing the outflow of hard currency reserves for imported goods. To carry through this strategy, trade patterns have altered to some degree, with a marked decrease in buying from advanced industrial economies between 1978–1984. In this period the industrial coun-

[55] *Yugoslavia, OECD Economic Surveys, 1986/1987*, 11–3.

[56] "Yugoslav Communist Party Elects a Rejuvenated Central Committee," *International Herald-Tribune*, 30 June 1986.

[57] TANJUG, FBIS, East Europe, 4 February 1986.

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TABLE 1

Percentage Change of Soviet Annual Trade with Yugoslavia

	1980	1981	1982	1983	1984	1985	1986	1987
Exports	43.8	31.7	-6.0	-21.3	3.6	17.7	-8.1	-28.9
Imports	33.6	9.1	-7.7	-10.1	-20.3	1.7	-5.3	2.7

Sources: *Direction of Trade Statistics Yearbook* (Washington, D.C.: International Monetary Fund, 1985), 416; *Yugoslavia, OECD Economic Surveys 1984/1985, 1986/1987,* and *1987/1988* (Paris: Organization for Economic Cooperation and Development, 1984, 1987, 1988).

tries' shares of the Yugoslav import market fell from 55.6 percent to 43.3 percent.[58] Savings generated in this manner have been used to offset increases in the price of Middle Eastern oil supplies, which more than doubled during the years 1978–1984 from 7.1–16.8 percent.[59] Unfortunately, the oil price falls of 1986 reduced the abilities of the oil-producing states to import Yugoslav goods.[60] Most revealing, the Soviet Union has not simply stepped in and taken up the slack in Yugoslav trade, despite increased activity between these countries. Imports supplied by the Soviet Union and other socialist states in 1984 comprised 4.9 percent more of the total of all goods imported as compared to 1978; at the same time, exports to those countries rose by only 4 percent. By 1986 the total volume of Soviet-Yugoslav trade had dipped to its lowest level since 1979, although it rebounded somewhat by 1988 (see Table 1). These are not the signs of a major realignment of trade in favor of the Soviet Union.

Table 2 presents a comparison of exports and imports of Yugoslavia with its major European trading partners for the years 1980–1986 and 1988. It demonstrates that for the seven western industrialized states depicted, all (except Switzerland) experienced significant increases in imports from Yugoslavia for this period. Further, all of these states cut back on the total volume of goods traded in the principal recession year of 1982, and six of them (all but Italy) had by 1984 achieved new peaks over their best years in this period.

As for imports from these countries, the evidence is somewhat more varied; imports on the whole declined from their peak year of 1981, rebounding to an extent by 1984. Imports from West Germany, Yugoslavia's second-largest trading partner, have been sharply curtailed. By 1986 they were well below the high-point of 1980, although they did come up again in 1988. A similar situation has occurred with the Soviet Union, which reached an export peak in 1981 but then experienced a pattern of decline thereafter. According to International Monetary

[58] *Direction of Trade Statistics Yearbook, 1985* (Washington, D.C.: International Monetary Fund, 1985), 45.

[59] Ibid.

[60] *Yugoslavia, OECD Economic Surveys, 1986/1987,* 16.

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TABLE 2

Yugoslav Trade with Advanced Industrialized Countries and the Soviet Union, 1980–1986, 1988 (millions of U.S. dollars)

Country	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1988*
United States								
Exports	393	387	311	346	432	463	606	767
Imports	1,015	960	846	775	620	778	637	725
Austria								
Exports	201	234	163	215	293	261	229	439
Imports	539	562	442	429	414	386	293	610
France								
Exports	245	254	229	272	272	263	333	498
Imports	673	729	572	410	398	374	446	568
W. Germany								
Exports	778	867	720	807	892	871	1,183	1,466
Imports	2,537	2,443	1,858	1,624	1,578	1,587	1,982	2,241
Italy								
Exports	833	1,012	728	806	941	977	1,004	1,930
Imports	1,117	1,292	1,023	980	964	1,028	1,043	1,373
Switzerland								
Exports	107	109	94	120	111	104	86	110
Imports	325	368	283	227	241	204	218	275
Great Britain								
Exports	90	102	93	155	163	179	188	330
Imports	395	453	457	247	225	232	258	296
U.S.S.R.								
Exports	2,489	3,644	3,426	2,699	2,797	3,397	2,123	2,309
Imports	2,698	2,966	2,738	2,463	1,964	1,997	1,873	1,812

Source: *Direction of Trade Statistics Yearbook* (Washington, D.C.: International Monetary Fund, 1985), 414–5; *Direction of Trade Statistics*, various months, 1985–1989.

Fund (IMF) figures, the socialist bloc countries' volume of trade has been in a relative state of decline since 1982.[61]

The trade data allows for no set conclusions concerning Soviet influence within Yugoslavia. More recent information on specific aspects of trade show that active trading between Yugoslavia and the East European socialist systems picked up steam in 1985–1986, with sizeable gains expected in Czechoslovak-Yugoslav trade (a projected value of $7.7 billion over five years),[62] and Polish-Yugoslav trade (an expected increase of $5 billion over 1986–1990),[63] as well as that between the Soviets and Yugoslavs.

[61] *Direction of Trade*, 416.
[62] TANJUG, 12 February 1986, FBIS, East Europe, 13 February 1986.
[63] TANJUG, 26 February 1986, FBIS, East Europe, 27 February 1986.

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Again, the sheer volume of trade may not be the most important facet for analysis; rather, the content involved in the trade should be examined. The Soviets seek advanced industrial goods and technology from their Yugoslav partners, especially that which is suitable for their automobile industry, program control systems, and machine tools and mechanical engineering.[64] In these categories the greatest misgivings about the nature of this trade surface. The dangers of technological dependence have been sounded in at least one instance by a Yugoslav analyst, stating that "they [the great powers] are trying to achieve ideological obedience of dominated societies [Yugoslavia] with the help of technological alternatives.[65] The specific threat is that so-called classic technology is or will be foisted on the Yugoslav economy in a time of super technological advances. However, this particular commentary neglects to mention that Soviet exports to Yugoslavia primarily consist of raw materials, while machinery and equipment make up only 10 percent of the total.[66]

In energy-related areas of trade, the Yugoslavs are as vulnerable to dependent conditions as most other non-oil or natural gas producing states. The total volume of imported goods originating in Middle Eastern states – primarily mineral fuels – has increased at a time of cutbacks in most other categories. In early 1986, Yugoslav officials were expressing concern that prices for Soviet-produced oil might not recede in conjunction with the world oil market price slide.[67] A prolonged period of negotiation over these prices certainly is not in the best interests of the Yugoslav economy, although there is no drain on foreign currency reserves, since Soviet oil is paid for by bilateral trade agreements. The Yugoslavs may expect to receive some savings in their dealings with their Middle Eastern oil suppliers, especially Iraq, Iran, Libya, and Algeria, with all of whom they have good relations. The need for savings to help offset the foreign debt is immediate and has been marked by a substantial reduction in the quantity of oil supplies derived from OPEC countries.[68]

A partial solution was reached in 1985 when the republic of Macedonia and the Soviet Union agreed to the construction of a natural gas pipeline to be made operational by 1990.[69] The import of large amounts of natural gas (envisioned to be fifty-five billion meters a year by that date) would require the conversion of much of Macedonian industry from coal or oil to gas, a move of costly significance. There is little doubt that the physical fact of a pipeline directly connected to the producer constitutes a matter of dependence. Imported goods may

[64] *Pravda*, 7 December 1985.

[65] Belgrade Domestic Service, 18 February 1986, FBIS, East Europe, 20 February 1986.

[66] I. Mikhailov, "The Quest for New Forms of Economic Cooperation between Yugoslavia and the Soviet Union," *Review of International Affairs* 40 (20 December 1989): 20.

[67] TANJUG, 6 February 1986, FBIS, East Europe, 7 February 1986.

[68] C. H. McMillan, "Eastern Europe's Relations with OPEC Suppliers in the 1980s" in *East European Economies: Slow Growth in the 1980s* (Washington, D.C.: Joint Economic Committee of the U.S. Congress, 1985), 378–80.

[69] FBIS, East Europe, 7 November 1985.

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be reduced or increased or offset by exports, but a major facility such as this pipeline is a sunk cost that cannot be easily disregarded.

The Extent of Political Influence. It does not immediately follow from what has already been stated that political or social decisions taken within the policy structure of the Yugoslav system are unalterably or even unduly compromised in favor of Soviet desires. Still, certain indicators of dependence and, therefore, influence may be detected. One such barometer of dependence is the ideological connection between the two countries and their respective parties. Prior to 1987 and the acceleration of Gorbachev's program of *perestroika*, the Soviets still harbored the illusion of unity within the world communist movement. Still, Moscow's success in gaining acceptance of this idea among European Communist parties was not great, as evidenced by the 1976 meeting of Communist parties held in East Berlin.[70] That gathering was warily treated by the Yugoslavs, as well as by the Eurocommunist parties of Italy and Spain.

Under the direction of Mikhail Gorbachev, flexibility has become a key element for interparty relations in a way not possible—or even imagined—under former leaders Brezhnev, Andropov, and Chernenko. The indications of such changes were already evident as early as 1985. In October the Yugoslav newspaper *Politika* commented that the draft program for the Twenty-seventh Congress of the CPSU had eliminated what the Yugoslavs had taken to be criticism aimed directly at them. An earlier draft program had made allusions about "betraying socialism" and "revisionist deviations" from the socialist path.[71] Whether or not Yugoslav protests had any impact on Soviet behavior is unknown. However, the Yugoslavs did demand recognition for their equality in the world socialist movement and for their own unique contribution to that movement's position in the 1980s.

The year 1985 did not begin well for LCY-CPSU relations. A furor arose over what the Yugoslavs considered to be an historically revisionist article appearing in the Soviet journal *International Affairs.*[72] The article, officially condemned by the LCY, equated the Yugoslav Communist Party Partisan victory in World War II with those Red Army-fostered revolutions in other East European states. To the Yugoslavs this constituted a clear attempt to diminish the importance of their largely indigenous victory over fascism in contrast to Soviet achievements. That the article appeared during Konstantin Chernenko's brief tenure as CPSU general secretary indicates but one of the substantial differences between that leader and his successor. By the latter part of March 1985, the Yugoslav paper *Borba* was

[70] Kevin Devlin, "The Challenge of Eurocommunism," *Problems of Communism* 26 (January-February 1977): 1–20; also, James P. McGregor, "The 1976 European Communist Parties Conference," *Studies in Comparative Communism* 11 (Winter 1978): 339–60.

[71] *Politika*, 26 October 1985, FBIS, East Europe, 19 November 1985. A revised version of the Soviet comments is found in *The Programme of the Communist Party of the Soviet Union (A New Edition)* (Moscow: Novosti Press Agency, 1985), 88.

[72] TANJUG, 28 December 1984 and *Ljubljana Delo*, 7 January 1985, FBIS, East Europe, 2 and 11 January 1985.

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reporting relations between the two states as again "stable and comprehensive," involving a tacit recognition of "the different international positions of the two countries and their own ways in the development of socialism."[73]

Judging by appearances resulting from the 1986 CPSU Congress, the two states were holding each other at official arms' length and probably even further apart. In the rank-and-position-conscious Soviet system, congratulatory comments to the CPSU by then-LCY Presidium Secretary Dimce Belovski were given less than equal status in *Pravda* compared to their East European counterparts.[74] While hardly an issue of major importance, it did demonstrate a degree of dissatisfaction with a party that normally was at odds with Soviet foreign policy. Noticeable to the Soviets was a renewed sense of cooperation between Belgrade and Washington, one that former SFRY Premier Milka Planinc described as a "strategic option."[75] There is little doubt that these remarks were calculated for Soviet awareness, coming as they did ten days prior to the thirtieth anniversary commemoration of the Belgrade Declaration.

In contrast to the attitudes displayed at the CPSU's Congress, the tenor of relations had noticeably improved by June 1986 and the convening of the LCY's Thirteenth Congress. Comments by both Gorbachev and Geidar Aliev (former Politburo member in attendance), indicated that the Soviets had conceded the legitimacy of the Yugoslav claim of nonalignment and the validity of the policy of self-management. This assessment of the Soviet attitude at such an early date in Gorbachev's reform program is all the more remarkable since it presaged a whole string of events that were to take place in Soviet-East European relations over the next five years.

Gorbachev's March 1988 visit to Yugoslavia was the first by a Soviet general secretary since 1980. The visit seemed to take on a particular significance for both sides. In one sense, Yugoslavia had become a safe jumping-off point for the restructuring of Soviet-East European relations. Pronouncements made on the trip were aimed at other East European states (especially Czechoslovakia) and were not just for Yugoslav consumption. In this way Yugoslavia became a cornerstone of Gorbachev's new thinking in foreign policy. In another sense, Gorbachev was putting his own imprint on intersocialist relations that would set his policies apart from those of his predecessors. Gorbachev's acceptance of Soviet responsibility for the years of feuding between 1948–1955 implicitly recognizes that the damage cannot be undone.[76] The move was well planned on the part of the Soviet leader, even if Yugoslavs themselves did not see it as a major departure from past practice.

Overall, Gorbachev seeks to continue building on the new structure of Soviet-Yugoslav relations. The new thinking toward Yugoslavia does not emerge fully developed from one visit by the Soviet leader; instead, it has been allowed the time

[73] *Borba*, 27 March 1985, FBIS, East Europe, 3 April 1985.

[74] Belovski's comments were placed after those of representatives from Laos, Mongolia, Angola, and even the non-ruling Portugese party. See *Pravda*, 1 March 1986.

[75] TANJUG, 22 May 1985, FBIS, East Europe, 23 May 1985.

[76] *New York Times*, 17 March 1988.

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necessary to develop within the larger framework of Soviet foreign policy. From this it would seem correct to state that this represents the beginning of a new era that may not be deliberately oriented towards either side gaining an advantage over the other.

Reassessing the Options

It now appears that the basic hypothesis for this article needs to be altered. To state that the Yugoslav system is in a period of sustained crisis and that the LCY's leadership continually reevaluates its options is certainly correct. As in most sociopolitical systems, there are established parameters beyond which change may not go; in March 1990, it is no longer immediately apparent what these parameters involve—either for the Soviet-Yugoslav relationship or within Yugoslavia itself. The many crises that have for so long confronted Yugoslavia now seem to have simultaneously attained a threshold that will precipitate changing the very foundations of the system. In the process, Soviet-Yugoslav relations will also be irrevocably changed.

Given the dramatic alterations now taking place in the Soviet Union and Eastern Europe, each of the three options bears reexamination. The first policy response foresees a Soviet need to control the innovations of the Yugoslav form of socialism due to an inherent caution on the part of the Soviet leaders. This policy option has become almost totally invalidated by events—especially the rapid loss of monopoly status enjoyed for so long by the various Communist Parties, including the Soviet Union.

The second Soviet policy response—a recognition that Soviet efforts to alter the Yugoslav system produce minimal results—does not appear to pose a dilemma. Neither state finds it possible to directly alter the essential rules of the game as they perceive them, but neither really views the other as a substantial threat anymore. Since the centrally-planned economy is no longer a goal of Soviet development, there is no point in attempting to redirect the Yugoslav system toward it. And since Soviet influence within Yugoslavia is clearly not increasing, and may in fact be decreasing, this policy option retains much more validity than it was originally assumed to hold.

The third policy response also remains credible. Change in the Soviet leadership has caused a reduction of pressure on the LCY leadership's adherence to self-management and nonalignment. With the Soviets showing no inclination to adopt the Yugoslav innovations themselves, and having encouraged the Yugoslavs to continue their reforms, the Soviets are in effect fostering change. This may be summed up by a comment made by Yugoslav dissident Milovan Djilas during Gorbachev's March 1988 visit: "Ten years ago, maybe we were a model [for communist reform]. But not now. Yugoslavia may be the model only for the crisis in communist countries."[77] The continuation of internal pressures, exacerbated by external economic

[77] *Christian Science Monitor*, 14 March 1988.

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problems, is the factor that stands the best chance of altering the parameters of the Soviet-Yugoslav relationship in the midterm future. All elements of the Soviet leadership seem convinced of this point, and it is reflected in Gorbachev's policies.

The extent of Yugoslavia's dependence on the Soviet Union, particularly for the long-term, remains unclear. What is certain is that the overall relationship is nowhere near as conflictual as in the past; nor is there much prospect for a renewal of the tension. Both states' leaderships now recognize their limitations in relation to each other and can be expected to structure their relationship on these grounds. The agendas they pursue are more than ever revolutionary in nature involving radical departures from the norm. As such, a once conflictual relationship has embarked on a markedly divergent path.

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Democracy, Dependency, and Destabilization: The Shaking of Allende's Regime

GIL MEROM

As demonstrated by the 1988 American policy toward Panama, destabilization is still a prominent strategy in American foreign policy. Unfortunately, as a theoretical concept destabilization has received only marginal attention. Furthermore, what little work has been done on destabilization has embedded the concept in the general discussion on sanctions.[1] But the literature on the use of economic power politics in general and on sanctions in particular almost always proceeds from a mechanically economic point of view.[2] In such frameworks the crucial factors explaining the results of economic power politics are the relative

[1] As a distinct concept, destabilization is discussed briefly by Gary Clyde Hufbauer and Jeffrey J. Schott, *Economic Sanctions in Support of Foreign Policy* (Washington, D.C.: Institute for International Economics, 1983), 43–45.

[2] Major books and articles that emphasize economic power considerations are: Henry Bienen and Robert Gilpin, "An Evaluation of the Use of Economic Sanctions to Promote Foreign Policy Objectives, With Special Reference to the Problems of Terrorism and the Promotion of Human Rights," unpublished paper, 2 April 1979; M.S. Daoudi and M.S. Dajani, *Economic Sanctions* (London: Routledge & Kegan Paul, 1983); Margaret P. Doxey, *International Sanctions in Contemporary Perspective* (New York: St. Martin's Press, 1987); Hufbauer and Schott, *Economic Sanctions in Support of Foreign Policy*; Gary Clyde Hufbauer & Jeffrey J. Schott, *Economic Sanctions Reconsidered* (Washington, D.C.: Institute for International Economics, 1985); Klaus Knorr, "International Economic Leverage and Its Uses" in Klaus Knorr and Frank N. Trager, eds., *Economic Issues and National Security* (Lawrence: University of Kansas Press, 1982), 99–126; and Klaus Knorr, *The Power of Nations* (New York: Basic Books, 1975).

GIL MEROM is a fellow in the Peace Studies Program and a Ph.D candidate in the Department of Government at Cornell University. He is currently writing on intelligence and security issues.

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economic capabilitites of the rivals and the international economic setting. Destabilization however, although affected by economic factors, is largely dependent on the domestic social setting. Consequently, destabilization is probably one of the best bench marks for a reconsideration of economic power politics and sanction theories.

The central concern of this article is the concept of destabilization. In the early 1970s the United States, through economic pressure and domestic intervention, launched a major destabilization effort against the Socialist regime of Salvador Allende in Chile.[3] Drawing from this destabilization effort and comparing it to a similar U.S. effort against the Fidel Castro regime in Cuba in the early 1960s, I seek to explain why and how destabilization succeeds or fails. I reject the focus of the economic power politics and sanction literature on economic structures as sufficient to explain the results of economic power politics. Instead, the discussion is based on Robert Cox's analysis of social change.[4] Using Cox's concepts I present a framework that emphasizes the importance of social structures. This framework links external forces and internal segments of the target country's society and points out the relevance of political culture, institutions, and national leaders to the destabilization process.

Destabilization and the Insensitivity of Sanction Theory

Henry Bienen and Robert Gilpin characterize sanctions as the "manipulation of economic relations for political objectives" designed to "threaten or execute economic punishment in order to coerce a society to change its policy or its government."[5] But the breadth of this definition may lead to some confusion. It may be better to distinguish between "coercive" and "manipulative" economic sanctions.

The assumption that coercive sanctions seek to influence a society to change its government's policy is inaccurate. Although it is the target country's society that suffers the consequences of coercive sanctions, such sanctions are directed

[3] See Morton Halperin, Jerry J. Berman, Robert L. Borosage, and Christine M. Marwick, *The Lawless State* (New York: Penguin Books, 1976), 15–29; and Robert L. Borosage and John Marks, "Destabilizing Chile" in Borosage and Marks, eds., *The CIA File* (New York: Grossman Publishers, 1976), 79–89. In September 1974, at a press conference, President Gerald Ford was asked about U.S. destabilization efforts in Chile. In response to the question, "Is it the policy of your administration to attempt to destabilize the government of other democracies?" Ford answered: "Our government, like other governments, does take certain actions in the intelligence field to help implement foreign policy and protect national security." Later, in response to another question, he added,"I am not going to pass judgment on whether it is permitted or authorized under international law [to attempt to destabilize a government of another country]. It is a recognized fact that historically, as well as presently, such actions are taken in the best interest of the countries involved." See Gerald R. Ford, *Public Papers of the Presidents of the United States* (Washington, D.C.: U.S. Government Printing Office (GPO), 1975, 150–1, 156.

[4] Robert Cox, "Social Forces, States and World Order: Beyond International Relations Theory," *Millennium* 10 (Summer 1981): 135–36.

[5] Henry Bienen and Robert Gilpin, "An Evaluation of Economic Sanctions," 2, 5.

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at and seek to influence the leadership rather than the society. Therefore, coercive sanctions must contain a clear message elaborating the desired policy change of the target country's leadership. Statesmen of the sanctioning country may assume that the leaders they address will comply because of their fear that the society will reject them, but it is also possible that the leaders of the target country will comply because of their rational calculation regarding what is best for the country.

Manipulative sanctions differ from coercive sanctions with respect to their audience, the way they are supposed to work, and their goal. They are directed at the society of the target country and do not necessarily include an open message. Rather than trying to coerce, they try to induce. Their ultimate goal is to alienate the public from the leaders to such a degree that the latter lose their powerful positions.

Since in the absence of a message there is no need to link the sender to the sanctions, manipulative sanctions can be implemented as a low-profile policy and thereby avoid much of the reaction that coercive sanctions create. On the other hand, since the audience of manipulative sanctions is the general public and the goal is to alienate the society from its leadership, manipulative sanctions cannot by themselves create the desired effect. In order to ensure that external pressure translates into social deterioration, a deep involvement in the target society is essential. In order to be effective, manipulative sanctions should be part of a broader framework, namely, destabilization policy.

Sanction theories are an integral part of the literature regarding the use of economic power. Further, much of the analysis of sanction theories is based on the study of trade sanctions and centers around the conditions that facilitate the success of such sanctions. Therefore, it is not particularly surprising that the sanction literature has an economic basis. For sanction theorists the crucial factors determining the success of sanctions are the control of the sender and target nations over the sanction and the vulnerability of the target nation to economic deprivation.

According to sanction theories, the target country's vulnerability is a function of three factors: the degree to which the foreign trade of the target country is concentrated; the elasticity of international markets (and sometimes of domestic production); and the openness of the target country's economy.[6] Trade concentration is a measure of the intensity of economic relations between the sender and the target countries. This intensity depends on the relative volume and importance to the target economy of the sanctioned commodity (that is, goods or capital). Elasticity is a measure of the opportunity the world market offers for substituting exports or imports of sanctioned goods. It also may reflect the flexibility of the target country's national economy, which in turn depends on the ability of the target country's economy to adjust itself to new production requirements. Openness is often measured by the ratio of import to gross national product (GNP).

However, sanction theorists admit that in reality sanctions seldom coerce na-

[6] Knorr, "International Economic Leverage and its Uses," 103; Bienen and Gilpin, "An Evaluation of Economic Sanctions," 9–11.

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tions to change their policies. Following an economic line of reasoning, they usually attribute the failure of sanction policy to the imperfection of the sanction tool. In other words, the elasticity of the world market prevents senders from controlling completely the economic environment.[7] Occasionally, sanction theorists also attribute the failure of sanction policy to the countereffects it creates in the target country.[8]

But the failure of sanctions may very well hint at the imperfection of the sanction theory rather than at its practice. Johan Galtung accurately criticized the theory for being linear and naive.[9] He pointed out that its implicit assumptions – that political disintegration is more or less proportional to economic disintegration and that economic disintegration cannot be countered – are simply not valid. Further, Galtung describes three general strategies to counter sanctions: external shift to economic relations with other actors (which involves elasticity); restructuring of the national economy (which involves flexibility); and "training for sacrifice" (which is not discussed in sanction theory).[10]

Contemporary scholars acknowledge his criticism. But still they devote most of their discussion regarding countersanction strategies to possible economic solutions that reduce the target country's economic dependence. Such solutions include stockpiling, diversification of production, development of substitute production, and control over resources.[11] But at best such an economic approach is only adequate for countering coercive sanction policy. Manipulative sanction policy, at least when implemented with complementary means, can hardly be resisted by economic policy alone. Indeed, while coercive sanctions seldom achieve their political goal, manipulative sanctions coupled with other means prove more effective. Gary Hufbauer and Jeffrey Schott, for example, drawing from eighteen cases

[7] For example, this is Gunnar Adler-Karlsson's argument with respect to the U.S. embargo's failure to cause an uprising against Castro. See Adler-Karlsson, "Economic Warfare: the Case of Cuba" in Kurt W. Rothschild, *Power in Economics* (Harmondsworth, England: Penguin Books, 1971), 352. James Barber is an exception. He concludes that in order to succeed, economic sanctions should be implemented as part of a broader strategy. See Barber, "Economic Sanctions as a Foreign policy Instrument," *International Affairs* 55(July 1979): 374. Barber also has an elegant typological division of sanctions. One type is an alternative to the use of military force; the other complements the use of military force (ibid., 367). The idea of destabilization, as presented here, is somewhat parallel to Barber's "complementary" type. The difference between Barber's work and my own is that while he refers to the complementary type in times of war, I refer to it in times of nonbelligerence.

[8] By "countereffects," sanction theorists refer to the observation that sanctions often lead to an increase in social cohesion rather than disintegration. See Knorr, "International Economic Leverage and Its Uses," 108; Bienen and Gilpin, "An Evaluation of Economic Sanctions," 13.

[9] Johan Galtung, "On the Effects of International Economic Sanctions, With Examples From the Case of Rhodesia," *World Politics* 19 (April 1967): 390–91. For a critique of sanction theory from a different perspective, see David A. Baldwin, *Economic Statecraft* (Princeton, N.J.: Princeton University Press, 1985), 55-58. Baldwin criticizes the sanction literature for the consensus the literature reaches regarding the nonutility of sanctions. He attributes this problem to the "inadequacies in the analytical framework."

[10] Galtung, "Effects of International Economic Sanctions," 377–78.

[11] Doxey, "International Sanctions," 111.

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of destabilization, found that "sanctions, coupled with other policies, are surprisingly successful in destabilizing governments."[12]

Destabilization policy is most always based on manipulative sanctions. Yet, if implemented correctly, it is also based on the internal manipulation of the target country's society. Destabilization does not intend to change the policy of the target country's government. Rather it seeks to shake the social and political order and thereby to induce the society itself to change its political leadership. Therefore, destabilization (the end) has more to do with politics than with policy. Because this is the case, destabilization is a complex concept. It is a convergence of system-, state-, and individual-level factors operating in an environment structured by ideas, material capabilities, and institutions. Consequently, economic power and control over material capabilities alone can not account for the success or failure of destabilization. The structure of the destabilized society, its values, and the control over its institutions are as crucial in determining the prospects for a successful destabilization effort.

System-level Misconceptions

The Allende government in Chile presented the Nixon administration with a "geopolitical challenge" that it considered worse than Cuba and a threat to the "stability of the western hemisphere."[13] It was determined to take the necessary actions to end Allende's regime. Yet, overthrowing him was not an easy task. American public opinion and Chile's finger pointing would have killed the prospects of any open effort to overthrow the Allende regime. The Nixon administration was quick to realize that if the destabilization of Chile was executed properly the American public would be ignorant of it, and the deterioration in Chile would be attributed to the Allende regime and its policies rather than to a foreign power.

Operationally, the destabilization policy consisted of two interrelated efforts—the United States would target both the Chilean economy and society. The covert aspect of the destabilization policy was directly targeted at the society, the open aspect at Chile's international economic posture. The economic part was composed of an effort to curtail all new private American investments, to terminate old ones, and to influence international financial institutions to limit credits or other financing assistance to Chile.[14] Some scholars were so impressed with the Amer-

[12] Hufbauer and Schott, *Economic Sanctions in Support of Foreign Policy*, 44. Hufbauer's study indicates that since the end of World War II destabilization strategy has increased its popularity as a policy measure: sixteen cases after World War II compared to only two cases before the war; see table 3.2, 51. See also the general discussion in Hufbauer and Schott, *Economic Sanctions Reconsidered*, 6.

[13] See Henry Kissinger, *Years of Upheaval* (Boston: Little Brown, 1982), 376; and Kissinger, *The White House Years* (London: Weidenfeld and Nicolson and Michael Joseph, 1979), 657.

[14] Indeed, as early as 9 November 1970, a Nixon directive was issued calling for "assembling pressures to prevent the consolidation of a communist state in Chile." See Kissinger, *The White House Years*, 681. The United States also selectively channeled its assistance to Chile. A comparison of the

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ican economic effort that they went as far as to suggest a direct relationship between the American economic campaign against Chile and the economic, social, and political deterioration there.[15]

Those explanations that regard the U.S. economic pressure as a direct cause of the deterioration in Chile are systemic in nature. The crucial variable is Chile's vulnerability to U.S. imperialist control over the capitalist world system. From this point of view, "core-periphery" dependence and "consequent exploitation facilitated by control over material capabilities" describe the case accurately.[16] The mere existence of economic dependence largely accounts for the effects and success of the external squeeze.[17]

Naturally such views draw on Chile's trade and financial relations with the United States. According to such parameters, Chile's economy was obviously dependent on the United States and therefore vulnerable. Seventy-five percent of Chile's self-generated foreign exchange came from the export of copper, which was by and large dominated by U.S.-based multinational corporations (MNCs). The capital needed to service debts and fuel development was largely from U.S. governmental and private sources or international institutions dominated by the United States. Sixty percent of Chile's imports in 1970 were from the United States, much of it machinery. In addition, Chile had to service a mounting debt, which was inconvenient both in terms of size and composition. Since much of this debt Chile owed to the United States, rescheduling depended partially on the good will of the United States.

But dependence in and of itself does not explain the deterioration of the social and political order in Chile, unless we assume that dependence is equal to social vulnerability. This argument, which was endorsed by some left-wing writers after the collapse of Allende's regime, was not as popular before the coup. For example, in 1972 *Monthly Review* editors wrote that "[t]he upshot is that of all the neocolo-

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structure of the U.S. aid programs to Chile before, during, and after Allende demonstrates that while all non-military aid dropped sharply (loans, credits, food), only military aid rose substantially. See James Petras and Morris Morley, *The United States and Chile: Imperialism and the Overthrow of Allende's Government* (New York: Monthly Review Press, 1975), 166–7; and David F. Cusack, *Revolution and Reaction: The Internal Dynamics of Conflict and Confrontation in Chile* (Denver: University of Denver, 1977), 113–4.

[15] Ian Roxborough, Philip O'Brien, and Jackie Roddick, *Chile: the State and Revolution* (New York: Holmes & Meier, 1977), 99; James Petras, "Hearings Before the Subcommittee on Inter-American Affairs of the Committee of Foreign Affairs House of Representatives," *US and Chile During the Allende Years, 1970–73* (Washington, D.C.: GPO, 1975), 298, (henceforth *Hearings*); and Farnsworth, "More Than Admitted."

[16] In Petras's words, the situation was one in which "[t]he externally linked enclave in effect was a hostage of the metropolitan countries." (Petras, *Hearings*, 293). Another writer who endorses the explanation of economic dependence is Nader Entessar, *Political Development in Chile* (Calcutta: K.P. Bagchi, 1980), 78–86, esp. 85.

[17] Roxborough, O'Brien, and Roddick, *Chile: the State and Revolution*, 112.

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nies in the US empire, probably few if any are as economically independent and hence as little subject to control through economic pressure as Chile."[18]

I do not wish to question Chile's economic dependence on the United States. I recognize that Chile's dependence was partly a result of its inherent structural problems, such as its production to service and commerce sector ratio and its dependence on foreign supplies of machinery.[19] Yet, the idea seems bizarre that Chile's macrodependence on capital, capital goods, and foreign knowledge directly relates to the degree of U.S. control over Chile and the disintegration of Chilean social and political order. Those blaming the economic relations of dependence and external economic pressures for the general deterioration in Chile disregard exactly Galtung's critique of the theories of economic power. They overlook the ability of states to counter economic pressures by adopting various strategies. Indeed, the very platform of Allende's party, *Unidad Popular*, was oriented toward liberating the Chilean economy from foreign shackles.[20] The Socialist regime thought to achieve this result by gaining state control over the crucial factors of the Chilean economy—the productive, financial, and distributive sectors related to exports, imports, demand and supply. Accordingly, Allende's regime was quick to nationalize the MNC's assets (especially in mining), the *latifundia* (big landed estates), and the banking system (by massive purchase of bonds on the market).

These adjustments, however, were not sufficient to stabilize the Chilean economy, for they led Washington to economic retaliation. Since the United States chose to curtail credits and loans, Chile had to find financial support elsewhere. Not surprisingly, it succeeded in substituting European, Latin American, and to a lesser extent socialist sources for the American and American-dominated financial sources.[21] Apparently, it also succeeded in overcoming the problems created by the withdrawal of American managerial skill and technical know-how in its largest production sector—copper mining—without any significant loss of production. In fact, the production of copper rose somewhat between 1970 and 1973, as did the level of general production.[22] Overall then, Chile's economic counterstrategies

[18] Editors, *Monthly Review*, "Peaceful Transition to Socialism" in Paul M. Sweezy and Harry Magdoff, eds., *Revolution and Counter Revolution in Chile* (New York: Monthly Review Press, 1974), 44.

[19] For discussions of the Chilean economy's structural handicaps see Paul M. Sweezy, "Chile: the Question of Power" in Sweezy & Magdoff, *Revolution and Counter Revolution*, 11–21; Alexis Guardia, "Structural Transformations in Chile's Economy and in its System of External Economic Relations" in S. Sideri, ed., *Chile 1970–1973: Economic Development and its International Setting* (The Hague: Martinus Nijhoff, 1979), 51–55; Entessar, *Political Development in Chile*, 122; and Roxborough, O'Brien, and Ruddick, *Chile: the State and Revolution*, 50–58.

[20] For the Unidad Popular election platform see Dale L. Johnson, *The Chilean Road to Socialism* (New York: Anchor Books, 1973), 130–34. Allende described the Chilean goals as "controlling our economic destiny . . . winning our second independence." Quoted in Virginia M. Hagen, "United States Relations with Chile under the Government of Salvador Allende (November 1970–September 1973), Background and Current Developments," in *Hearings*, 408. See also 409.

[21] See Sideri, *Chile: 1970–1973*, Table 3.15, 99–100.

[22] See ibid., table 2, 35.

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proved quite successful. "In short," as Nader Entessar writes, "Allende's nationalization program not only reduced Chile's dependency on the international center, it also contributed to an increase in industrial productivity and to a reduction of the country's unemployment rate."[23]

But even if Chile could not have countered economically the American pressures, the United States, by exerting economic pressure, would not automatically have been able to destabilize Chile. Economic suffering does not necessarily imply social and political disintegration. Logic tells us that external economic pressure can be countered passively, namely by absorbing the pressure through equal suffering, an ideological campaign, institutional control, or any combination of these. Under some circumstances societies can sustain for a long time severe austerity measures, including a deterioration of the standard of living, without being significantly destabilized. Such robustness was demonstrated by Israel in the early 1950s and by Iran and Rumania in the 1980s.

Therefore, economic dependence, economic vulnerability, and external economic pressures are not sufficient to explain the success of destabilization. The cases of Soviet economic sanctions against Yugoslavia in the late 1940s, Albania in the early 1960s, and Cuba in the 1960s simply discredit the validity of systemic explanations. Further, these cases demonstrate that an aggressive destabilization policy is not a unique capitalist phenomenon. Soviet-Albanian relations in the late 1950s and early 1960s represent one of the most acute cases of economic dependence.[24] Seventy-six percent of Albania's imports were from Eastern bloc sources (56 percent out of total imports came from the USSR). Further, these imports were largely composed of essential foods and industrial goods. Albania's exports were no less vulnerable: 85 percent were exported to the Eastern block (45 percent to the USSR). Under such conditions Albania's day-to-day life depended almost entirely on external socialist sources. When Albania signed a trade agreement with China, the Russians were quick to respond economically. In the period between April and December 1961 the USSR cut all its trade relations with Albania. Other East European states also curtailed their trade substantially. Yet, no change of policy or government in Albania followed.

The case of destabilization most comparable to that of Chile is that of the U.S. effort to destabilize Cuba in the 1960s.[25] As in Albania and Chile, in Cuba the level of dependence was extremely high. Exports to the United States made up

[23] Entessar, *Political Development in Chile*, 98; see also Roxborough, O'Brien, and Ruddick, *Chile: the State and Revolution*, 81.

[24] The following discussion on Albania is based on Knorr, *The Power of Nations*, 146–160; and Hufbauer and Schott, *Economic Sanctions Reconsidered*, 329–35.

[25] The discussion on Cuba is based on the following writings: Jorge I. Domínguez, *Cuba: Order and Revolution* (Cambridge, Mass.: Belknap Press, 1978), 149–59; Richard E. Welch, *Response to Revolution: the United States and the Cuban Revolution, 1959–1961* (Chapel Hill: The University of North Carolina Press, 1985); Archibald M.R. Ritter, *The Economic Development of Revolutionary Cuba: Strategy and Performance* (New York: Praeger, 1974); Robert F. Smith, "Castro's Revolution: Domestic Sources and Consequences," in Plank John, ed., *Cuba and the United States: Long Range Perspectives* (Washington, D.C.: The Brookings Institution, 1967), 45–68; Morris H. Morley, *Imperial*

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67 percent of Cuba's total exports; imports from the United States made up 70 percent of its total imports. Much of the export was sugar, and in order to subsidize the Cuban economy was paid according to a higher price than that of the world market. Many of the imports were in the form of machinery and therefore both dependence and vulnerability were high.[26] Further, U.S. control over its allies was substantial, both in Europe and in the Organization of American States (OAS). In comparison to Chile, Cuba had fewer opportunities for economic substitutes in the world market. Yet, when the United States sanctioned Cuba, hoping to destabilize it socially and politically, Cuba successfully fought back. Under extremely bad economic conditions (including a drop of 29 percent in production in the years 1961–1964),[27] Castro was able to maintain control by orchestrating a three-pronged campaign—economic, political, and social.

This discussion seems to make one thing clear: dependence, potential economic vulnerability, and economic pressure, although probably necessary for destabilization, are far from being sufficient to explain the relationship between the destabilization effort and the result. It is true that the opportunities for substitution and relief in the world market reduce substantially the economic price to be paid for fighting dependence. But even more important, social vulnerability is not directly related to economic power relations. Rather it is related in a more complex way. Economic pressure can be effectively fought at home by active or passive strategies—adjustment of the production sector or adjustment of the society to the reduced standard of living. The difference between Cuba and Chile brings us first to the discussion of the social factor.

Social Structure and Vulnerability to External Pressure

The Latin American school of dependency has proved much more sensitive to reality than crude Marxist dependence theory. Instead of blaming only the "core" center

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State and Revolution: the United States and Cuba, 1952–1986 (New York: Cambridge University Press, 1987); Philip W. Bonsal, *Cuba, Castro, and the United States* (Pittsburgh: University of Pittsburgh Press, 1971); Hufbauer and Schott, *Economic Sanctions Reconsidered*, 315–23; Anna P. Schreiber, "Economic Coercion as an Instrument of Foreign Policy: US Economic Measures Against Cuba and the Dominican Republic," *World Politics* 25 (April 1973): 387–405; Adler-Karlsson, "Economic Warfare," 341–54; and Knorr, *The Power of Nations*, 146–60.

[26] According to Morley over 90 percent of Cuba's industrial plants and transformation depended on American equipment, spare parts, and machinery. See Morley, *Imperial State and Revolution*, 119.

[27] Castro inherited a significant deficit and depleted treasury. In February 1959, the exchange rate of the Cuban currency fell from $1 a peso to $0.3 a peso. In June 1959 the world sugar price fell to the lowest level in eighteen years. At the same time the Cuban national economy suffered from declining foreign investments, growing unemployment, and technical and managerial shortages. On top of these transitional and structural problems, the U.S. embargo (which started gradually in 1960) caused storage and handling problems at Cuban ports, decline of industrial production, and serious day-to-day problems as a result of shortages of spare parts. See Smith, "Castro's Revolution," 61–62; Morley, *Imperial State and Revolution*, 77, 124–25; Schreiber, "Economic Coercion," 400; and Bienen and Gilpin, "An Evaluation of Economic Sanctions," 61–64.

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and the manipulation of material capabilities, the Latin American school looks at the interplay between internal and external structures.[28] It delegates much of the responsibility for the dependency to the local social structure. This view is well reflected in Clodomiro Almeyda's retrospective judgment:

> External factors were important and might even have been decisive but only inasmuch as they were translated and converted into internal factors, which then combined to prevent the project's success. Possibly because these exogenous factors collided with internal reality, conditions were created which permitted the internal enemies of the revolution to increase their strength and weakened that of its supporters.[29]

According to dependency theory, the translation of external pressure into internal effects is mediated by internal forces. Further, these forces are motivated by and depend on internal conditions. Destabilization, rather than being responsible for the problems of Chile, was a strategy based on the exacerbation of social and economic conditions and on the manipulation of local interests.[30]

Although the damage created by American economic pressure (at the macrolevel) did not cripple the Chilean economy, its effects spilled over to the microlevel or social structure. Many of these effects were the result of a deeper and more subtle dependence than the economic one. Prior to the Allende years, the United States continuously stabilized the social and political order in Chile by directing resources toward development and consumption. In doing so, it helped maintain a public atmosphere of consumption based on ideas or values similar to those of the western world.[31] Consequently, stability in Chile was based on the ability of the state to satisfy consumption, which in turn was shaped by middle-class tastes. It is easy to understand that if Chile's past stability was based on infusions of American capital, the withdrawal of such assistance would have meant at least temporary destabilization. The key element to understand is that this was not a question of Chile's economic robustness but rather one of social structure, values, and ideas that reduced the chances of transition to socialist order through economic restraint and sacrifice.

[28] Philip J. O'Brien, "A Critique of Latin American Theories of Dependency" in Ivar Oxaal, Tony Barnett, and David Both, eds., *Beyond the Sociology of Development* (London: Routledge & Kegan Paul, 1975), 22. A good example of the Latin American school are Fernando H. Cardoso and Enzo Faletto, *Dependency and Development in Latin America* (Berkeley: University of California Press, 1979).

[29] Clodomiro Almeyda, "The Reasons for Self Criticism of the Unidad Popular Government" in Sideri, *Chile 1970–1973*, 6.

[30] See Halperin, Berman, Borosage, and Marwick, *The Lawless State*, 24–29. Both Philip Agee and Richard Bissel elaborate the kinds of actions the CIA considered a regular part of its job. From these descriptions it is easy to see that what they confess to are simply destabilization-related activities. See Philip Agee, *Inside the Company: CIA Diary* (New York: Stonehill, 1975), 84; and Richard Bissel's memorandum in Victor Marchetti and John D. Marks, *The CIA and the Cult of Intelligence* (New York: Dell, 1980), 334.

[31] This was a result of not only the American economic influence, but also its control over the media. By this control the United States, perhaps unintentionally, shaped the expectations of the Chilean people as well as their perception of the capitalist and socialist world views. See Humbert Máximo, "Yankee Television Control" in Johnson, *The Chilean Road*, 120–24.

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Allende was not blind to the depth of dependency. He understood well that Chile's dependence was not only economic but also social, cultural, technical, and political.[32] In the short run there was little he could do to change the situation. Therefore, instead of alienating the middle and working classes by choosing an economy of restraint, he opted for an economy of satisfaction. But instead of keeping consumerism under control, Allende opted for a dangerous increase in consumption or, as termed elsewhere, "populist consumerism." Unfortunately for him, in this game the United States had the trump cards. It had only to wait for his mistakes or for an economic recession. Then it could take advantage of the situation and "push" it further toward final political disintegration. This was achieved by helping to finance the opposition parties and to organize and finance the strikes and media campaign against the government.[33]

Understanding the social and cultural dimensions of dependency in a context of middle-class ideas also helps us to grasp why the denial of material capabilities could have been effective and why the invisible blockade influenced Chile in a more subtle way. First, the credit squeeze constrained the government's freedom to maneuver. If the use of past credits and loans was relatively flexible, new ones were tied to specific projects. Second, U.S. insistence on Chile's timely payment of its external debts was, as James Petras observed, a "no-lose" strategy. For Chile to have paid up, funds would have had to be diverted from popular programs and development projects, generating political opposition. If Chile did not pay, its international credit rating would decline; the amount and, more important, the type of credits would be limited; and economic stagnation or decline would create political discontent.[34] Third, the rapid decline of short-term credits closed the U.S. spare-parts market for Chile, sabotaging production, transportation, and any other activity based on U.S.-made machinery.[35] Further, Chile was compelled to borrow and get credits with high interest rates.

The ultimate effect of Allende's policies and Chile's structural problems was the deterioration of production, income, and consumption of the middle class, culminating in a reduced standard of living. Consequently, the middle class leaned more and more to the right.[36] Finally, the discontent of the middle class was trans-

[32] See Allende in a speech delivered 5 November 1970, quoted in Johnson, *The Chilean Road*, 152.

[33] See David F. Cusack, *Revolution and Reaction*, 112. Even Sigmund, who rejects the idea that U.S. intervention was decisive, remarks that "[t]he strikes were very important in politicizing the military, polarizing the workers and the middle class, and demonstrating the opposition to Allende of a large and important sector of Chilean society. . . . *Without outside support it is likely that the strikes would not have escalated so quickly or lasted so long. Certainly they accelerated the breakdown of the Chilean economy and polity. . . .*" See Paul E. Sigmund, *The Overthrow of Allende and the Politics of Chile 1964–1976* (Pittsburgh: University of Pittsburgh Press, 1977). (Emphasis added.)

[34] See Petras, *Hearings*, 297–99.

[35] See Joseph Collins, "Tightening the Financial Knot" in Laurence Birns, ed., *The End of Chilean Democracy* (New York: Seabury Press, 1973), 185.

[36] Entessar, *Political Development in Chile*, 130; and Roxborough, O'Brien, and Ruddick, *Chile: The State and Revolution*, 88, 115.

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lated into a chain of crippling strikes that politicized the army, polarized the workers as well as the more tolerant factions of the middle class, and demonstrated to all that Chile was on a course of progressive destabilization.

The various social connections the United States had in Chile enabled it to manipulate Chile's internal developments. It did so by exacerbating and magnifying both the size of Allende's mistakes and the power of the opposition. It is important to understand that the United States did not single-handedly create the social, economic, and political chaos in Chile. Rather, the United States continuously manipulated the situation by a variety of means. It destabilized Chile "by pouring millions of dollars into vulnerable corners of that nation's national life."[37] Or as William Colby put it: "Certainly . . . [the] CIA was responsible to some degree for the final outcome. . . . Certainly, its support of the center parties, political groups and media . . . did produce tension in Chile when Allende tried to suppress them; there would have been no tension if his pressure had not been resisted."[38]

How detrimental was the U.S. effort to destabilize Chile? It is impossible to assess precisely, just as it is impossible to assess the probable consequences if the United States had refrained from internal manipulation. Yet, it is possible to learn some lessons from the U.S. failure to destabilize Cuba. Like Chile, Cuba committed serious economic mistakes that resulted in a sharp drop in its production in the early and mid-1960s. Like Chile, it suffered from a crippling shortage of spare parts and resultant partial paralysis in transportation.[39] Like Chile, it tried to consolidate its support in the low-income groups through a new and more favorable distribution of income (wage and salary increases and reduced cost of services such as electricity, telephone, rents, etc.). But unlike Chile, Cuba had only a feeble middle class.[40] Further, Castro forced a showdown with the middle class and won, as a result of which those in the middle class who wanted to emigrate were allowed to do so. Since there was no strong middle class and the economy was under tight control, it was relatively easy for Cuba to curtail its importation of consumer goods from 39 percent of total imports in 1954–1958 to a level of 24 percent of its total imports in 1960–1964. Such cutbacks left very little room for penetration and manipulation, without which U.S. external economic pressure was practically doomed.

Destabilization, Democracy, and Institutional Legacy

The above comparison still leaves us with the unresolved details of a crucial question: Why was Allende unable to break the link between internal and external rela-

[37] Laurence R. Birns, "Allende's Fall, Washington's Push" in *Hearings*, 336.

[38] William Colby, *Honorable Men* (New York: Simon & Schuster, 1978), 305.

[39] Smith, "Castro's Revolution," 61–62; and Ritter, *The Economic Development of Revolutionary Cuba*, 96–97.

[40] Gilbert W. Merks and Nelson P. Valdés, "Revolution, Consciousness and Class: Cuba and Ar-

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tionships and avoid the consequent destabilizing influence of the United States? Even those who wanted to transform the social order in Chile and failed, because they did not control the crucial institutions, have neglected the institutional aspect of the destabilization policy. In an overview to a symposium book devoted to self-criticism of the Allende's government policies, Clodomiro Almeyda admits that the book neglects ideological and institutional aspects of the disintegrating order in Chile. Therefore Almeyda concludes that "[o]bviously the limited consideration given to noneconomic factors implies an inadequate coverage in that the deepest roots of the political process are not fully analyzed."[41] His fellow writers recognize that the successful transition to socialism implied a creation of a new institutional order.[42]

James March and John Olsen assert that political outcomes are the result of three major factors: different interests, the distribution of power, and constraints imposed by the rules of the game. Institutions, they argue, provide the framework and the means by which these three factors can be expressed. In addition, institutions do not simply reflect but also affect each of the factors.[43] Consequently, the maintenance of order and a political community depends on the working of political institutions. They provide indispensable social and political stability.[44] But institutions, as regulatory entities, also facilitate the transition of social discontent into effective social demand. In normal times social discontent can be expressed on ballots. But in times of acute social crisis, discontent can be expressed through mass movements, existing institutions, or both. Because institutions provide both the means and opportunity to organize, they magnify the level of public discontent. They may communicate the level of discontent to the regime, to the ignorant factions of the masses, or to other institutions capable of altering the situation, such as the legislative and coercive ones.

Paul Sweezy correctly points out that Allende's failure was the direct result of his narrow institutional control. He observes that the legislative, the judiciary, and the military institutions "remained in the hands of the enemies of the UP [Unidad Popular]." Further, he concludes that "[t]o achieve state power the Unidad Popular had to capture these strongholds of the enemy."[45] Sergio Bitar concludes similarly that the Unidad Popular failed to create enough awareness of the need to change the institutional structure and to diffuse socialist values.[46] Although Sweezy's gen-

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gentina" in Rolando E. Bonachea and Nelson P. Valdés, eds., *Cuba in Revolution* (New York: Anchor Books/Doubleday, 1972), 99–101, 107.

[41] Almeyda in Sideri, *Chile 1970–1973*, 2.

[42] Alexis Guardia, Alberto Martínez, and Sergio Ramos, "General Considerations on the Chilean Economic Structure" in ibid., 25.

[43] James G. March and John P. Olsen, "The New Institutionalism: Organizational Factors in Political Life," *American Political Science Review* 78 (September 1984): 739.

[44] Samuel P. Huntington, *Political Order in Changing Societies* (New Haven, Conn.: Yale University Press, 1968, 1977), 9.

[45] Paul M. Sweezy, "Chile: the Question of Power" in Sweezy and Magdoff, *Revolution and Counter Revolution*, 13.

[46] Sergio Bitar, *Chile: Experiment in Democracy* (Philadelphia: Ishi, 1986), 230.

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eralization is somewhate imprecise, his and Bitar's analyses provide us with insight into the institutional dimension of Chilean social deterioration.

Allende's first move after his inauguration was to consolidate his victory in the executive branch. This gave him control over Chile's material capabilities. After the successful consolidation of his executive power and campaign against the big capitalists – the MNCs and *latifundia* owners – Allende moved to abolish or capture and transform the institutions that reflected the ideas of the middle class. Yet, in order to do so Allende needed either the legitimacy of the popular majority and its representative – the Congress – or the active support of the coercive institutions. Allende had neither, and when he turned inward in an attempt to transform the institutional bases of Chile, he faced external and internal problems. The decentralized structure and the deep dependency of Chile made its institutions resilient to Allende's pressure. It also made these institutions extremely vulnerable to American intervention.

Since Richard Nixon's and Henry Kissinger's destabilization policy was designed in part to "avoid giving the Allende government a basis on which to rally domestic . . . support for consolidation of the regime,"[47] it necessarily aimed at the Chilean institutional structure. Operationally, such a strategy meant that the United States would help to counter Allende's attempts to gain control over the different institutions. It also meant that the United States would try to use these institutions against Allende's coalition in order to erode its legitimacy as a competent governing body. In order to achieve this the United States had to make sure that the institutions that struggled against the Unidad Popular program would continue to function. Consequently it channeled money and provided organizational help to different trade and professional unions (*gremio*) and other middle-class organizations. And those organized the most effective strikes.[48]

Yet the strikes alone would not have been so effective had they not been comprehensive and had they not lasted so long. Furthermore, in order to be effective, the strikes and other public pressures had to be diffused in the Chilean society. In short, public consciousness was essential. And those who had control over the flow of information gained this consciousness on their side. Galtung, discussing counterstrategies to sanctions, observed: "What matters is not so much what people think as whether they think there are many who share their . . . thought – in other words, what matters to the government is the creation and maintenance of 'pluralistic ignorance.'"[49] Allende understood this principle very well. Although he tried to paralyze the opposition media, he failed because of U.S. material support for it, and because the opposition took full advantage of its control over 65

[47] Kissinger, *Years of Upheaval*, 379.

[48] Colby remarks that the investment in Chile was wide enough to influence the CIA budget. He admits that the CIA, after Allende's inauguration, supported the center parties, free and opposition newspapers, radio stations, student organizations, and syndicate sectors. See Colby, *Honorable Men*, 304–305.

[49] Galtung, "Effects of International Economic Sanctions," 339.

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percent of the mass media.[50] Allende found himself exposed to decisive media attacks and placed consequently in a position of inferiority.

The Chilean legislative and judiciary branches proved as problematic for Allende as the free media. They piled endless obstacles in his road to the transformation of the Chilean social order. Both institutions were quite hostile to Allende from the beginning.[51] Therefore the institution on which Allende's faith and the final success of U.S. destabilization effort hinged was the military.

Both Allende and the United States understood perfectly well that the military was the key to Allende's survival. Therefore, much of their hidden struggle centered around the military. It is wrong to infer, as Sweezy did, that the military was a "bourgeoisie institution designed to protect the capitalist system from its enemies, external as well as internal."[52] Sweezy was also wrong in assuming that Allende failed to gain control over the military because of his naiveté and fear. First, the military was far from being a defender of the capitalist order and was not a bourgeoisie institution. In fact, it had a strong constitutional tradition and did not pose an immediate threat to the new socialist regime. For example, the army chief of staff, René Schneider, paid with his own life for a decision to respect the democratic process to its maxim—Allende's inauguration.[53] Second, because Allende was sensitive both to the fact that he did not have the essential popular majority and that the military had the physical capabilities and considerable prestige among the general public, he was apprehensive about refusing the military's demands. The military's wages were kept high and its traditional relationship with the United States was not cut off. Further, the military was invited three times to participate in Allende's government; twice it actually accepted and functioned as a social arbiter in the class struggle.[54] Perhaps Allende feared the army, but

[50] See Stalling and Zimbalist, "Showdown in Chile" in Sweezy & Magdoff, *Revolution and Counter Revolution*, 126–27. The opposition media fought Allende by identifying him with the extreme Left (MIR), by magnifying and aggravating the problems intentionally and therefore de-legitimizing Allende, and by mobilizing the masses against his regime. See also Bitar, *Chile: Experiment in Democracy*, 109.

[51] For the ratio of supporters to opponents of Allende in the Chilean Senate and House, see Biehl Del Rio & Fernández Gonzalez, "The Political Pre-requisites for a Chilean Way," in Kenneth Medhurst, *Allende's Chile* (London: Hart-Davis MacGibbon, 1972), 60–63. The opposition in the Chilean Congress and Senate tried to curtail Allende's institutional, policy, and legislative initiatives. This opposition also tried to impeach some of his ministers. The judicial system was generally in favor of the opposition. See Roxborough, O'Brien, and Ruddick, *Chile: the State and Revolution*, 108.

[52] Sweenzy, "Chile: Advance or Retreat?" in Sweezy & Magdoff, *Revolution and Counter Revolution*, 83. Allende himself did not think that the military in general was "capitalist." Even in his last speech on 11 September 1973, he argued that "foreign capital, [and] imperialism united with reaction, created the climate *for the armed forces to break with their tradition*. . . . " Quoted in Cusack, *Revolution and Reaction*, 145. (Emphasis added.)

[53] General René Schneider was known in Chilean military circles for his opposition to a coup. Military officers who plotted to prevent Allende's nomination by the Congress planned to kidnap Schneider in order to eliminate his counter-coup influence in the military. Schneider was killed in the kidnap attempt. See Sigmund, *Overthrow of Allende*, 120–123.

[54] See Arturo Valenzuela, *The Breakdown of Democratic Regimes: Chile* (Baltimore: Johns Hopkins

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his well-calculated policies proved that he was not naive. After all, the army did not take part in the destabilization process. Rather, until mid-1973, it helped to maintain institutional stability and, therefore, the legitimacy of the Allende government.[55]

The United States, on the other hand, following its traditional perception regarding Latin American military establishments as possible obstacles to a socialist progress, kept its ties with the Chilean military warm.[56] In previous years it had done so by training Chilean officers in the United States; now it responded to the Chilean military's materiel demands. But the American goal was "passive"; rather than trying directly to provoke the Chilean military into starting a coup, the United States tried to make it harder for Allende to consolidate his power in the military.[57] We can conclude that Allende and the United States invested in the military on the basis of similar calculations. Both understood that although the coercive institution would not take part in the destabilization process, it might be able to decide its final outcome. Both hoped to prevent the military from joining the other side.

A brief look at Cuba is instructive with regard to the role of institutions. Unlike in Chile, Castro assumed power following destruction of an authoritarian regime for which the population in general had no affinity. Unlike in Chile, the old institution structure was destroyed by the process of revolutionary political change, leaving an "institutional vacuum."[58] Consequently, Castro was able to consolidate and centralize his own institutional order with relative ease.[59] Further, knowing that the military was his strongest potential rival, Castro quickly moved to erode

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University Press), 81–106; Roxborough, O'Brien, and Ruddick, *Chile: the State and Revolution*, 194–201; and Bitar, *Chile: Experiment in Democracy*, 137–53.

[55]Bitar, *Chile: Experiment in Democracy*, 111.

[56] Traditional American perceptions of Latin American military establishments are indicated in *The Rockefeller Report on the Americas* (Chicago: Quadrangle Books, 1969); see a discussion in Johnson, *The Chilean Road*, 61–63. For a summary of *The Rockefeller Report*, see *Governor Rockefeller's Report on Latin America*, hearing before the Subcommittee on Inter-American Affairs, House of Representatives, 91st Congress, 1st sess., November 1969 (Washington, D.C.: GPO, 1970), 45–48. William Colby, former head of the CIA, acknowledges that the American military's continued warm contacts with the Chilean military were part of U.S. policy toward Allende's Chile. See Colby, *Honorable Men*, 305–06. See also Borosage and Marks, in Borosage & Marks, *The CIA File*, 84.

[57] In 1970 the decision makers in Washington had already learned from their ambassador in Chile, Edward Korry, that the military was far from enthusiastic about intervening in the civilian government. Even as late as the September 1973 coup Kissinger was still not sure whether the military was going to be pro American or "revolutionary." See Kissinger, *Years of Upheaval*, 1245, fn. 14.

[58] Nelson P. Valdés, "Revolution and Institutionalization in Cuba," *Cuban Studies* 6 (January and July 1976): 3.

[59] Castro centralized power through the Council of Ministers. This council became the supreme organ of the revolutionary government in Cuba and had executive, legislative, and constitutional responsibilities. Of course, the absence of a legislative body stripped the opposition of a representative institution such as Allende's opposition had in Chile. In addition, there were other institutional changes in 1959–1961, for example, in the education, military, and professional associations (including the abolition of the right to strike). See Ritter, *The Economic Development*, 85–87. See also Welch, *Response to Revolution*, 16–18.

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the power of the armed forces and create a competitive coercive institution.[60] Later, he also tightened his grip of other institutions and curtailed the freedom of the press.

Even more important is the fact that, unlike in Chile, the United States did not suspect Castro of being communist until 1960 and, therefore, did not try to intervene or destabilize Cuba in its early stages of transformation.[61] It launched its destabilization effort only after Castro had already gained a strong institutional basis that enabled him to control effectively both the flow of ideas and the material capabilitites of the opposition. Unlike in Chile, the United States had very limited capacity to penetrate the different institutions and thereby manipulate Cuba's internal situation.[62]

In contrast to Cuba, democratic Chile had a traditional decentralized institutional structure. Any attempt by Allende—who was inaugurated on a basis of plurality—to capture the institutions by force would have resulted in a counteroffensive by the military, against which Allende obviously would not have stood a chance. Allende's strategy was to try to gain control over the different institutions gradually. But this strategy was upset by U.S. efforts to channel capital to the opposition, to organize it, and to propagate an ideological campaign against Allende. Had Allende been able to secure the total support of all three or even a combination of two of the most important institutions of the Chilean democracy—the legislative body, the mass media, and the military—he might have countered successfully the effects of the foreign intervention. He failed because he was trapped in a vicious circle: foreign intervention was a major reason why he could not capture the different institutions, and since he could not capture them he could not counter foreign intervention successfully.

The fact that Chile was a democracy and its institutions were independent and relatively easy to penetrate led to Allende's downfall. Allende lost the institutional struggle because he failed to capture the institutions that controlled the flow of ideas and power. In large part he failed to do so because of U.S. material and organizational effort in those institutions.

Leadership and Political Skill

In trying to understand why and how destabilization policy succeeded in Chile, the focus of analysis has been shifted from the economic to the social realm. The

[60] James Petras, *Politics and Social Structure in Latin America* (New York: Monthly Review Press, 1970), 110, 112; Welch, *Response to Revolution*, 4–5.

[61] In the first year of the revolutionary government, the Eisenhower administration and especially the State Department tried to "get along with" and "understand" Cuba. See Richard M. Nixon, *Six Crises* (New York: Doubleday, 1962), 352. U.S. Ambassador to Cuba P. Bonsal described the initial U.S. policy as "one of benevolent, if nervous, watchfulness." See Bonsal, *Cuba, Castro*, 28.

[62] Part of this impotence was a result of the CIA's loss of all its long-established connections in the Cuban military intelligence and security forces. It consequently lost many "assets" for covert operation. This in part forced the United States to change its "inside" strategy to an "outside" one. See Morley, *Imperial State and Revolution*, 89, 94–99.

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guiding notion up to this stage was that if we seek to understand the effect of foreign economic pressure on a society, it is necessary to analyze the social structure, the society's attributes, the sociohistorical context, and the mode of foreign social intervention. By the same token, if one wishes to understand why destabilization succeeded in alienating the society from its leader(s), one must consider the possible impact of the leadership and its political skill. In discussing economic power Klaus Knorr has observed that statecraft is a crucial asset, for it is composed of such political skills as recognizing international opportunities, identifying policies that will maximize national economic power per unit of effort, and maximizing domestic support or minimizing domestic opposition.[63] Obviously, political skill is needed to prevent or to counter destabilization; even more is required to fight destabilization and reform society at the same time.

According to Samuel Huntington, a leader trying radically to reform his society with no revolutionary violence must be politically more competent than a revolutionary leader. He must be more adept at the manipulation of social forces, more sophisticated in the control of social change, more selective and discriminating in his policies, and more attentive to the methods, techniques, and timing of change.[64] The more difficult task facing the reformist leader is clearer when one considers the different strategies open to him and to the revolutionary leader while confronting problems. While the reformist leader almost always has to provide solutions or remedies to problems, the revolutionary leader can simply liquidate the problems. The different treatment of the middle class in Cuba and Chile illustrates the point.

Samuel Huntington also identifies two general modes of operation to achieve reforms—*Blitzkrieg* and Fabian.[65] In the *Blitzkrieg* mode the leader initially makes his goals known and immediately presses for as many as possible. In the Fabian mode the leader conceals his aims and discloses them one at a time, thus minimizing the opposition at each stage of reform. Political skill, according to Huntington, involves the ability to strike the right balance in using the two modes. The best strategy in trying to reform a society is to follow a Fabian mode, but to execute each stage in a *blitzkrieg* manner.[66] The art is to draw a fine line between caution and boldness and to execute fiercely. Huntington's typology becomes all the more important in understanding the ability to counter destabilization. Any effort to radically reform a society invokes destabilizing forces. Therefore, any such effort demands leaders of great political skill. Only more so, if a foreign power decides to intervene in the form of destabilization policy.

Unfortunately, measuring political skill is problematic. First, the arguments are often cyclical in that political skill is measured on the basis of the success or failure of policies. Second, leadership or political skill is probably the least tangible of

[63] Knorr, *The Power of Nations*, 93.
[64] Huntington, *Political Order in Changing Societies*, 345.
[65] Ibid., 346.
[66] Ibid.

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all variables, because among other things it involves ambiguous qualities such as instincts, sense of timing, and the like. Still, it would be a mistake to ignore the role of leaders. They are not just the victims of circumstances, but are at times also the creators by intention or default of the circumstances under which they find themselves forced to operate.

To some extent Allende was responsible for the ability of the United States to destabilize Chile. In his effort to reform Chile he did face different choices, and he could have led Chile differently.[67] He facilitated and failed to counter the American effort because of a combination of political mistakes and personal attributes.[68]

First, because Allende initiated a broad program of domestic reforms, used radical rhetoric, and at the same time followed a radical foreign policy, he prematurely cast himself in Washington as a radical communist.[69] By doing so he fulfilled the worst American fears. Instead of following a more Fabian mode and maintaining a calculated ambivalence that would confuse the United States, he stimulated the United States into total alienation before he secured adequate institutional control.

Second, Allende failed to establish the necessary centralization and control needed to formulate and execute a coherent policy of social change. He did not, and perhaps could not, follow the first dictum of any leadership whose regime's legitimacy is seriously questioned—have order in your own house and total control over your forces. The results of this default were detrimental. The extreme left, the MIR movement, operated violently, thereby pushing the middle class away from Allende toward the political right. Factions of his left coalition parochially pursued their own goals, encouraging indiscipline by their policies and exacerbating the chaos in the Chilean economy.

Third, Allende led the Chilean people in the dangerous direction of building socialism without demanding self-sacrifice. By choosing to follow a short-sighted supply-side economy, he unleashed unrestrained consumerism.[70] The combination of Allende's political mistakes, defaults, and personality indirectly served the U.S. interest. When his populist consumerism policy got out of hand, he was unable to redirect his "revolution," not just because of this opposition, but also because he had no control over rival elements in his own coalition. Eventually, Allende maneuvered himself into an inferior position in the struggle over the future of Chile. With mounting inflation, a deteriorating trade balance and balance-of-payments, shortages in essential supplies, and above all with no strong hand to control and coherently guide the general transformation, the Unidad Popular government grew steadily less united, less popular, and eventually less and less able to counter the U.S. destabilization effort.

[67] Valenzuela, *The Breakdown of Democratic Regimes: Chile*, 60.

[68] For a good discussion of Allende's part in the failure of the social experiment in Chile, see ibid., 60–70, 107–09.

[69] For the American perceptions see Kissinger, *The White House Years*, 656–7, 680–83.

[70] Even Allende's foreign minister, Almeyda, admitted that the Unidad Popular government initiated a populist policy in the hope of gaining short-term support, but in doing so it disregarded long-term considerations. See Almeyda in Sideri, *Chile 1970–1973*, 8.

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Because Castro and Allende operated under different conditions, Allende had to demonstrate more sophistication and higher political skill than Castro. But unlike Allende, Castro had those qualities needed to lead a transformation of a society and at the same time counter a foreign destabilization effort.[71] First, he had a much better sense of timing. He instinctively avoided premature overlabeling and consequently avoided bullying the United States into total hostility before he was ready to meet its challenge. Second, and most important, Castro was determined to secure full institutional control. He instinctively realized that such control cannot be compromised. He ruthlessly weeded out not just the reactionary opposition, but also with the same zeal any leftist faction that could or tried to challenge his leadership. When the United States finally launched a destabilization effort, there was hardly any window left through which it could internally manipulate Cuban society.

To sum up, many of Allende's problems stemmed from the existing economic structure, Chilean social institutions, and manipulation by the United States of both. Nonetheless, the situation in Chile was not predetermined, and the outcome was not inevitable. Allende did have a choice, and he could have avoided or countered at least some of the problems he encountered. Yet, his policies exacerbated Chile's structural problems. By deeds and words he had earned himself a radical label before he secured adequate institutional control. And he was unable or unwilling to establish, if need be ruthlessly, strong leadership over the left. The bottom line is that Allende helped to create a balance that the United States could tip. He made Chile more vulnerable by unintentionally cultivating a fertile soil for American destabilization efforts.

Conclusions

Chile was vulnerable to destabilization as a result of social factors: its institutional structure was democratic and therefore traditionally decentralized; it had a strong middle class whose values originated in Chile's dependency; and it was caught off balance in the middle of a transition period. The American destabilization effort was finally successful because the United States invested and exerted pressure in the right places and in the right manner. Yet, success finally also depended on Allende's mistakes.

Some more general lessons may be learned from the successful destabilization of Chile. The major goal of destabilization policy is to create the conditions that will induce the society to change its political leadership. In order to achieve this,

[71] There is a consensus in the literature on Cuba on the importance of Castro's charismatic personality in the context of revolution. It is not uncommon to find writers who describe his leadership as "messianic." See Richard Fagen, "Charismatic Authority and the Leadership of Fidel Castro" in Bonachea and Valdés, *Cuba in Revolution*, 154–68. This article is based on Lloyd A. Free, *Attitudes of the Cuban People toward the Castro Regime* (Princeton, N.J.: Institute for International Social Research, 1960). See also Valdés, "Revolution and Institutionalisation," 8; Welch, *Response to Revolution*, 19; and Bonsal's analysis and personal impression of Castro's leadership in *Cuba, Castro*, 55–58.

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destabilization is designed to create a situation in which the leadership is perceived by enough people as unable to solve economic, social, and political problems. Destabilization tries to delegitimize a government by convincing the people that the leader is incompetent to govern. External economic pressure in the form of sanctions may be necessary, but is hardly ever sufficient. Since destabilization is aimed at the target country society, the particular social structure is a crucial variable. Social structures depend on the attributes of the societies and the historical context. Therefore, it is not the material dependence that is so important, but the socioeconomic dependency. Ideas and material capabilities converge in institutions. Institutions provide foreign power both an opportunity to intervene ideologically and a channel through which to invest material capabilities. All three—ideas, institutions, and material capabilities—are major factors in shaping social forces. In order to harness and exacerbate the destructiveness of existing social forces, the foreign power must penetrate the society. Successful destabilization almost always must rely on both external economic pressure and internal social intervention and manipulation.*

* I am indebted to John Garofano, who devoted an enormous amount of time and energy to critically commenting on this paper. I am also grateful to Avi Ben-Zvi, Benjamin Ginsberg, Steve Jackson, Jeremy Rabkin, Lawrence Scheinman, Martin Shefter, and Peter Katzenstein for reading, commenting on, and discussing earlier drafts of this paper. Finally, I thank Emily Wheeler for help in preparing the manuscript.

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Social Policy through Land Reform: New Jersey's Mount Laurel Controversy

MARK ALAN HUGHES
PETER M. VANDOREN

In 1975 and again in 1983 the New Jersey Supreme Court ruled in a suit brought by the local chapter of the NAACP that Mount Laurel Township, located ten miles from Philadelphia at the edge of the metropolitan area, unconstitutionally excluded low-income housing within its borders through its zoning policies that allowed only detached single-family houses and industrial uses. The court not only ruled that there are severe limits on the right of suburban communities to restrict the entry of lower-income households but also set in motion the most fundamental redistribution of property rights ever attempted by a state government in the United States. The court insisted that the state's municipalities have an affirmative obligation to redistribute low- and moderate-income households more evenly across the state.[1]

The rulings have generated heated controversy, for Americans have enormous wealth tied up in land markets. Supporters claim that the Mount Laurel rulings merely extend the well-established regulatory powers of the state regarding the use of land. Furthermore, the geographical redistribution of lower-income households

[1] *Southern Burlington County N.A.A.C.P. v. Township of Mount Laurel* 67 NJ 151 (1975) (hereafter Mount Laurel I); *Southern Burlington County N.A.A.C.P. v. Township of Mount Laurel*, 92 NJ 158 (hereafter Mount Laurel II). For an excellent review of the policy issues, see D. E. Chall, "Housing Reform in New Jersey: The Mount Laurel Decision," *FRBNY Quarterly Review* (Winter 1985–86): 19–27.

MARK ALAN HUGHES is assistant professor of public and international affairs at Princeton University's Woodrow Wilson School. He is the author of the forthcoming book *"Underclass" Fallacy, Ghetto Reality.* PETER M. VANDOREN is assistant professor of politics and public affairs at Princeton University's Woodrow Wilson School. He is the author of the recent article "Should Congress Listen to Economists?"

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would create a whole series of social benefits: the children and workers in these households would have access to better schooling and better employment. Opponents of Mount Laurel assert that the rulings represent an unbridled judicial activism that usurps private property relations and undermines the tradition of home rule in local affairs. The rulings reduce the efficiency advantages of local land markets and create few benefits for the poor. There is no justification for such "social engineering."

We argue that both supporters and opponents of Mount Laurel are correct in part, although for different reasons. Supporters of Mount Laurel are correct that local zoning often creates severe equity problems for low-income citizens. Opponents are correct that zoning helps solve an important market failure in local land markets. In this article, we clarify the various efficiency and equity problems in land-use and housing markets and show how a modified Mount Laurel strategy actually can remedy these problems. First, we provide the context for the Mount Laurel story—some general points about land use and some specific points about the Mount Laurel decisions. Second, we identify the mismatch between the means and ends of the Mount Laurel strategy. Third, we describe a recent reorientation of the strategy, tell why we think it is a major improvement, and present suggestions for further improvements.

Zoning and Mount Laurel

Land-use issues arise because the consumption of housing services entails not only the private use of the house itself but also two types of local public goods: the neighborhood amenities (and disamenities) that arise from activities located near one's home and the municipal services financed through local taxes.[2] These local public goods can affect the value of homes as much as the actual private characteristics of the structure. For example, houses in Princeton, New Jersey, a community with amenities such as good schools and fine old shade trees, cost more than equivalent structures in neighboring townships.

Local Public Goods, Land Markets, and Zoning

Given that local public goods are an inherent aspect of housing consumption, an efficient spatial arrangement of housing (one that maximizes home values) is an arrangement where persons with similar preferences for both neighborhood amenities and municipal services live near each other.

Spatial proximity of those with similar local public good preferences, however,

[2] Technically, of course, most local public services are club goods and not true public goods. They possess economies of scale but also are subject to congestion effects and exclusion possibilities. See Richard Cornes and Todd Sandler, *The Theory of Externalities, Public Goods, and Club Goods* (New York: Cambridge University Press, 1986).

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will not result from simple uncoordinated market behavior. An initial arrangement where people with similar tastes live near each other in order to consume similar amounts of local public goods will not be stable. People with lower incomes have strong incentive to occupy inexpensive structures in a wealthy jurisdiction in order to consume local public goods in amounts that exceed what they would consume if they lived in lower-income jurisdictions. Similarly, the marginal property owner in wealthy areas has a strong incentive to reap a wealth windfall by developing his land at high density and allowing newcomers to consume more local public goods than if they lived in poor areas.

Two policy strategies exist to correct this land-use instability. Both remedy the market failures created by unrestricted development, but they have different equity consequences. Decentralized solutions (such as zoning, migration taxes, and property associations) give property rights to local jurisdictions and require newcomers to have sufficient wealth to bribe their way into the community. Centralized solutions give property rights to nonresidents and require the residents of privileged areas to bribe poorer outsiders not to move to the wealthier communities.[3]

In the United States, the main tool used to maintain the proximity of those who wish to use land and consume local public goods similarly has been zoning. Since 1926, local control over land use through the planning and zoning process has been well established. In that year, the U.S. Supreme Court held in its *Euclid v. Ambler* decision that the designation of land uses into specified geographic zones was a valid tool of the "police power"—the promotion of health, safety, morals, and the general welfare. Furthermore, the Court stated that in the future there would be a presumption of validity in favor of municipal land-use regulations. This ruling allowed the virtually unfettered development of parochial land-use regulations by thousands of local governments. Variances, plaza bonuses, historic preservation, subdivisions, and design controls are all innovations far beyond the simple type of planning and zoning scheme that was in effect in Euclid, Ohio, and considered by the Court.

The Mount Laurel Rulings

Zoning does improve the local public-services efficiency problem by insuring that those who move into a jurisdiction have sufficient income to maintain the average cost of local public services. But zoning also causes equity concerns to the extent that it allows low-income citizens to consume only those local public services they themselves can pay for in their own jurisdictions. One possible solution to the equity problems created by zoning is to deny the absolute right of citizens to choose the characteristics of their neighbors. For example, the prohibition of black families from an area zoned for single-family dwellings is unconstitutional on due pro-

[3] See E. S. Mills and B. W. Hamilton, *Urban Economics* (Glenview, Ill.: Scott Foresman, 1984); D. Mueller, *Public Choice* (New York: Cambridge University Press, 1979); and R. H. Nelson, *Zoning and Property Rights* (Cambridge: M.I.T. Press, 1979).

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cess grounds (racial segregation is not a legitimate objective of the police power) and on equal protection grounds (race is a suspect criterion for the classification of citizens within a public policy) and is thus exclusionary. In its 1975 and 1983 Mount Laurel rulings, the New Jersey Supreme Court identified zoning barriers to the entry of poor people (through minimum lot sizes, the prohibition of trailer parks, etc.) as similarly exclusionary:

> When the exercise of that [police] power by a municipality affects something as fundamental as housing, the general welfare includes more than the welfare of the municipality and its citizens: it also includes the general welfare—in this case the housing needs—of those residing outside the municipality but within the region that contributes to the housing demand within the municipality. Municipal land-use regulations that conflict with the general welfare, thus defined, abuse the police power and are unconstitutional. In particular, those regulations that do not provide the requisite opportunity for a "fair share" of the region's need for low- and moderate-income housing conflict with the general welfare and violate the state constitutional requirements of substantive due process and equal protection.[4]

To rectify unconstitutional exclusion, the New Jersey court mandated radical changes in the spatial distribution of income across the state. Low- and moderate-income housing would be provided in every municipality across the state in accordance with each municipality's "fair share." A municipality would have to create a realistic opportunity for the construction of its fair share by zoning some of its land for higher-density housing and by doing everything reasonable within its power to make construction financially viable. A formula was devised to estimate a municipality's fair share of its region's present and prospective need for affordable lower-income housing. Every operative term in the preceding sentence (fair, prospective, region, lower-income, etc.) was defined carefully. Most important for present purposes is the definition of "affordable" and "lower-income" housing. The Court defined affordable as housing costing (ownership or rental) no more than 28 percent of household income. Lower-income refers to low-income and moderate-income housing. The former was defined as housing that is affordable for a household earning no more than 50 percent of the county's median income adjusted for household size. Similarly, moderate-income housing was defined as housing affordable to a household earning no more than 80 percent of the county's median household income.

The court suggested three principal means of financing these affordable housing units. First, municipalities could grant increased density (units per acre) to developers who agree to construct some lower-income units in order to generate internal subsidies to cover the construction and below-market pricing of the Mount Laurel units. Second, municipalities could abate the taxes on lower-income units thus providing an external subsidy (from the township to Mount Laurel units). Third, municipalities could set aside a portion of all new construction for lower-

[4] Mount Laurel II, 208–209.

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income units, thus providing a cross-subsidy (from market-rate units to Mount Laurel units). By all these means, lower-income housing (and thus lower-income households) would be dispersed throughout the suburbs and no longer concentrated in central cities.

Summary

Locally controlled zoning has been the main policy tool used in the United States to correct the market failures that exist in the provision of local public goods in simple unregulated land markets. Zoning enhances allocational efficiency but limits the consumption of local public goods by low-income citizens to the amounts they themselves can afford. Those who favor redistribution have equated successfully the reluctance to redistribute wealth embedded in zoning laws with other suspect preferences such as the reluctance of whites to live near blacks or men to work with women. The New Jersey Supreme Court has ruled in effect that no New Jersey citizen can avoid a fair share of housing and local-public-services redistribution.

The Mount Laurel Objectives

We can conceive of four principal objectives in the Mount Laurel strategy, all of which are present in the language of the court's decision. All have persuasive arguments in their favor. In this section, we present the case for each. First, the Mount Laurel strategy seeks to provide affordable decent housing for every citizen in the state. In a private housing market, those with low incomes may occupy housing with characteristics that fall below some minimum acceptable level. Even though many citizens may be willing to pay to upgrade the quality of housing occupied by poor people, private markets underprovide "merit goods"—those commodities that low-income people should be able to consume at some minimum level regardless of their income. Most citizens will not pay for merit goods unless they know others also pay.[5] The traditional academic policy prescription for merit-good problems is to augment consumption through either in-kind or cash transfers.

Second, the Mount Laurel strategy seeks to provide all state residents with acceptable levels of local public goods. Those who oppose the current spatial distribution of incomes believe that some local public goods are also merit goods. Mount Laurel policies mandate that low-income people be part of every area so they can better consume public services. We believe that those who support this objective care mostly about the consumption of education and very little about access to space, trees, or other features of suburban and exurban New Jersey.

Third, the Mount Laurel strategy seeks to provide access to employment opportunities to every worker in the state. The relation between residential segregation

[5] Dawes, et al., "Organizing Groups for Collective Action," *American Political Science Review* 80 (December 1986): 1171–85.

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and employment opportunity is a controversial issue among academics.[6] The strong form of the argument, which is embedded in the Mount Laurel strategy, is that the concentration of poor people in central cities creates decisive barriers to employment and earnings because of the massive postwar suburbanization of entry-level jobs. Powerful market forces are driving this suburbanization, and attempts to recentralize sufficient levels of employment would be inefficient. Access to these jobs requires proximity; and, therefore, dispersing poor central-city households into suburban housing is a necessary condition for linking poor people with employment opportunities.

Fourth, the Mount Laurel strategy seeks the socioeconomic integration of the state's municipalities so that all of them contain a distribution of household incomes approximating the state's income distribution. This goal is more far-reaching than the elimination of exclusionary zoning. The court adopted socioeconomic integration as a general welfare principle, in part because it believed those who claim that the "social isolation" of the minority poor is creating a population that exhibits extreme behavioral deviance.[7] The Mount Laurel strategy may be seen as an attempt to break that isolation by dispersing the poor into more class-integrated environments.

Mount Laurel Solutions: A Policy Mismatch

While the objectives of better housing, increased consumption of local public goods, improved access to suburban employment, and socioeconomic integration are all laudable goals, the reorganization of land use is an effective method for achieving only the objective of socioeconomic integration, which may not result in the progressive outcomes that supporters believe will occur. In this section, we examine in detail the ability of the Mount Laurel strategy to realize its objectives.

Objective One: Housing as a Merit Good

In a private housing market, the poor may occupy housing with characteristics that fall below some minimum acceptable level. Even though many citizens may be willing to pay to upgrade the quality of housing occupied by poor people, private markets underprovide merit goods because most citizens will not pay for them unless they know others also pay. The traditional academic policy prescription for merit-good problems is to augment consumption through cash allowances (such as housing vouchers or food stamps) given directly to eligible poor households to help them purchase these commodities.[8] Mount Laurel policies don't directly

[6] See J. F. Kain and J. J. Persky, "Alternatives to the 'Gilded Ghetto,'" *The Public Interest* 14 (Winter 1969): 77–91.

[7] See W. J. Wilson, *The Truly Disadvantaged: The Inner City, The Underclass, and Public Policy* (Chicago: University of Chicago Press, 1987).

[8] Katherine L. Bradley and Anthony Downs, eds., *Do Housing Allowances Work?* (Washington, D.C.: Brookings Institution, 1981).

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augment the income of low-income citizens. Instead, they typically tax some new units in a development to subsidize the prices of other units to the point where carrying costs are low enough to be tolerable for families with less than 50 or 80 percent of an area's median income.[9]

Mount Laurel policies are unlikely to increase housing quality for lower-income people for several reasons.[10] First, attempts to redistribute income through the pricing of some houses above cost are viable only if housing alternatives without the forced cross-subsidy are in short supply. As AT&T found out, once entry into telecommunications was allowed, the cross-subsidy from long-distance to local service was no longer possible. One of the primary funding schemes in the Mount Laurel strategy is the set-aside of lower-income units within new housing developments. These units are made affordable by placing a surcharge on market-rate units. The surcharge may be paid either by the owners of the market-rate units or the developer. If owners pay the surcharge and equivalent market-rate units without the Mount Laurel "tax" were available, no one would buy units with the surcharge. If developers pay the surcharge, then excess profits that allow them to do so exist only if the supply of market-rate units is restricted. Thus, the indirect funding scheme that is the core of Mount Laurel financing can work only if the housing market is in disequilibrium and the supply of market-rate housing is less than demand.

Second, when prices are raised above marginal cost, deadweight loss reduces the amount actually redistributed below what could be redistributed if more direct means were utilized. The excess price (the Mount Laurel "tax") paid by market-rate buyers or developers will exceed the benefits received by the subsidized buyers, just as the total tax paid by American automobile consumers because of the Japanese voluntary export restraints was much greater than the benefits received by the auto industry.[11]

Third, the redistribution occurs only once unless property rights are restricted. If a Mount Laurel house is similar in most respects to other units in a development except for its lower price, then the price of the house will rise by at least the amount of the subsidy unless resale restrictions are placed on the unit. The Fair Housing Act of 1985, as implemented by the Council on Affordable Housing, restricts re-

[9] R. F. Babcock and L. Siemon, *The Zoning Game Revisited* (Boston: Oelgeschlager, Gunn, and Hain, 1985).

[10] For a more detailed examination of the problems inherent in redistributing income indirectly, see P. VanDoren, "Should Congress Listen to Economists?" *Journal of Politics* 51 (May 1989), 319–336. For a similar critique of California policies, see R. C. Ellickson, "The Irony of 'Inclusionary' Zoning" in M. B. Johnson, ed., *Resolving the Housing Crisis* (Cambridge, Mass.: Ballinger, 1982), chap. 6. The arguments in this section assume that the Mount Laurel cross subsidy is neither a tax on the windfall rents created for existing homeowners through zoning nor a tax on builders' excess profits created by the New Jersey housing market boom. To the extent either is the case, the allocational distortions we refer to will diminish.

[11] R. Z. Lawrence and R. Litan, "Living With the Trade Deficit: Adjustment Strategies to Preserve Free Trade," *The Brookings Review* 4 (Fall 1985): 3–13.

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sale only for the first six to twenty years depending on the type of dwelling unit. If resale restrictions are placed on the unit in perpetuity, then subsequent owners will receive the subsidy. But restricted location vouchers would achieve the same result without forcing the resident to occupy a particular structure in order to receive the income transfer.

Fourth, Mount Laurel subsidies are not continuous, but have perverse notch effects that restrict the types of individuals that will be assisted. Mount Laurel guidelines require that one-half of a jurisdiction's fair-share obligation be affordable by people with incomes below 50 percent of the area median and the other half of the obligation be affordable by people with incomes between 50 and 80 percent of the area median. Developers, of course, will build housing that requires the lowest cross-subsidy—that is, housing affordable by people with incomes just below the 50 and 80 percent levels. Mount Laurel policies, then, will directly aid only those families with incomes just below the eligibility levels. All others in the eligible categories will be aided only to the extent that those who move into the new units vacate existing units whose prices fall below what their quality would normally cost. Such prices may be affordable, but, nevertheless, insufficient to cover the true maintenance costs. The possible result is an increase in the housing quality of some low-income citizens who move into the new units, an initial increase but eventual decline in the housing quality of even lower-income citizens who move into the units vacated by the first group, and a wealth loss for the owners of the vacated units whose prices must fall to meet the incomes of new occupants.

Mitchell-Lama Cooperative Housing built in the city of New York exhibits all these results. The development of Co-Op City in the Northeast Bronx induced many Italians and Jews to vacate their older lower-quality walk ups in the South Bronx. Landlords faced with a tremendous drop in demand for these units lowered their prices, and poor blacks and Hispanics moved in. Landlords suffered a wealth loss. Blacks and Hispanics initially raised their housing quality, but their incomes were insufficient to pay rents that would maintain the structures; the neighborhood quality declined.

Fifth, by emphasizing the production of new units for low-income people, the Mount Laurel strategy ignores how the largest supplier of cheap housing (the owners of existing houses) will respond. Both economic theory and empirical evidence suggest that the long-run net effect of the subsidy of new housing for poor people will be to induce the equivalent number of existing units not to filter down to lower-income people.[12]

Finally, the distributional implications of the builders-remedy scheme are peculiar. Why should developers or newcomers pay the Mount Laurel tax when they did not create the exclusionary zoning conditions? The tax on new marginal units, however, allows owners of existing houses to raise their prices—much as the tax on American automobile prices (voluntary export restraints) allowed Japanese auto

[12] William A. Fischel, *The Economics of Zoning* (Baltimore: Johns Hopkins University Press), 327–331.

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manufacturers to raise their prices and earn rents. Existing homeowners, then, are rewarded by the remedy of the problem that they allegedly caused.

A peculiar distributional consequence of Mount Laurel policies arises because the income guidelines take a static instead of a life-cycle view of income. At any point in time, many young people are poor even though they will not have a low income over their life cycle.[13] These currently low-income but future middle-class citizens are ideal candidates for Mount Laurel mortgages, although the absence of Mount Laurel would simply delay rather than deny them homeownership. Now, given that the real price of housing has risen faster than per capita incomes, the current young generation in the absence of subsidies will have to save longer than their parents before purchasing a home. But should public policies alter these facts?

Objective Two: Local Public Goods as Merit Goods

Local public goods include the familiar municipal services—police and fire protection, education, parks, streets, and recreational services, as well as the privately provided aesthetics, amenities, and activities that people must consume collectively simply because they live near each other. Those who oppose the current spatial distribution of incomes believe that at least some of these local public goods are merit goods. Mount Laurel policies mandate that low-income people be a part of every growing area, in part so that they can better consume public goods paid for by more affluent residents.

We believe that those who favor Mount Laurel policies because they redistribute local public goods care mostly about the consumption of education. Mount Laurel policies have several drawbacks compared to programs that redistribute educational opportunity through a direct tax and transfer scheme where people remain in place and money is moved. Because Mount Laurel guidelines allocate larger housing obligations to those areas with the most vacant land, the strategy of moving low-income people imposes no redistribution of educational services in affluent jurisdictions that are developed.[14] In addition, the construction of new structures for the purposes of redistributing educational services severely reduces the money that could go to education. Just as the tax on auto consumers created by the recent voluntary export restraints was much larger than the benefits to the auto workers, the tax on new home purchasers in Mount Laurel developments is much larger than the educational benefits that the low- and moderate-income youngsters will

[13] See A. B. Atkinson, *The Economics of Inequality* (New York: Oxford University Press, 1983). Atkinson offers age-earnings profiles that show much less variance among young people than among middle-aged people regardless of occupation. At age 25, future professionals' and laborers' incomes differ much less than at age 40.

[14] A recent ruling by the Council on Affordable Housing regarding Fanwood, N.J. requires the town to accept developers' proposals to demolish some existing single-family homes and build affordable apartments. Thus, older suburbs may be more affected by *Mount Laurel* than we claim here. Jesus Rangel, "Jersey Tells Town to Plan Housing Despite Lack of Open Land," *New York Times*, 19 October 1988.

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receive. Finally, moving some poor people to some affluent areas does nothing to augment the educational services of those low-income citizens who remain in the poorer cities and towns.

Objective Three: The Employment-Housing Mismatch

Many advocates of Mount Laurel policies believe that the growth of exurban and beltway employment in commercial sections of otherwise affluent or rural areas far from the inner-city residential location of low-wage workers is inefficient. Most of the academic literature regarding the relation between residential segregation and employment opportunities has focused on black residents rather than the poor. But surely there is sufficient overlap between being black and being poor in Newark, Camden, and Trenton to warrant some generalizing from the evidence. Recent research has questioned whether residential confinement to central cities imposes a greater penalty on blacks than other factors. Furthermore, recent research has demonstrated that proximity to employment does not guarantee real access to jobs.[15]

Empirical evidence drawn from the Philadelphia metropolitan area, which coincidentally contains Mount Laurel Township, suggests that labor market discrimination exacts an earnings penalty on blacks that is probably two or three times the earnings penalty due to the indirect effect of residential segregation.[16] Thus, reverse commuting from central-city residences to suburban workplaces combined with antidiscriminatory labor-market policies is probably the most efficient strategy for raising black incomes relative to white incomes. Of course, this is the exact opposite of the Mount Laurel strategy.

An obvious question, if one accepts the preceding argument, is why not continue the residential dispersal strategy? It cannot hurt, and why require long commutes when we could build Mount Laurel housing in the suburbs? One answer is the costs and benefits of trade-offs. With scarce public resources, policy makers must make choices. A strategy that emphasizes job training, job search, and job transit—call it the mobility strategy—would spend public resources quite differently from a dispersal strategy such as Mount Laurel. It is not as blunt as choosing between affordable suburban housing or affordable minivans to suburban office parks, but that is the general point.

[15] On the earnings issue, see R. Price and E. S. Mills, "Race and Residence in Earnings Determination," *Journal of Urban Economics* 17 (1985): 1–18. For an opposing view, see M. Straszheim, "Discrimination and the Spatial Characteristics of the Urban Labor Market," *Journal of Urban Economics* 7 (1980):111–40. On the employment issue, see D. T. Ellwood, "The Spatial Mismatch Hypothesis: Are There Teenage Jobs Missing in the Ghetto?" in R. B. Freeman and H. J. Holzer, eds., *The Black Youth Employment Crisis* (Chicago: University of Chicago Press, 1986).

[16] See M. A. Hughes and J. F. Madden, "Residential Segregation and the Economic Status of Black Workers: New Evidence for an Old Debate," Working Paper in Regional Science, University of Pennsylvania, 1987.

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Objective Four: Socioeconomic Integration

Our preceding arguments have been against the Mount Laurel strategy as a way to achieve the first three objectives. It is clear, however, that a Mount Laurel strategy probably is the only way to achieve socioeconomic integration. In the last few paragraphs, however, we offer three arguments against this objective itself.

First, local public finance economists have suggested that fragmented metropolitan areas with homogeneous populations within each municipality create certain efficiencies. While such spatial arrangements also create negative equity consequences, spatial redistribution of people is not the only policy option available to correct these problems. Income and wealth can be redistributed directly to augment local public-goods consumption without actually redistributing the location of poor people. Such direct redistribution is probably much more stable than engineered residential integration. And this stability insures a continuous redistribution to lower-income households.

Second, much of the call for the socioeconomic integration of suburban municipalities is based on the assumption that proximity between the poor and the middle class will enhance the mobility of the former. We suggest that this assumption is founded on an inaccurate understanding of assimilation in the United States.[17] This process is complex and multidimensional. It is bound up with the acquisition of values (such as attachment to the labor market) and with the attainment of attributes (such as education and occupation). Through this process, upwardly mobile households and individuals reduce the social distance between themselves and the middle class. One of the major insights of urban sociology has been that residential integration is unstable when the social distance between oldtimers and newcomers is large. Thus, a policy of engineered proximity (as in Mount Laurel) in the absence of prior assimilation of values and attributes is likely to be highly unstable.

Third, although a dispersal strategy such as Mount Laurel would provide uncertain benefits, one certain cost is the dilution of the political power of poor people and particularly of poor minorities. Such political power is based precisely on large concentrations of blacks, Hispanics, and Asians in central cities. On the one hand, minority representation based in cities provides a voice for struggles over resources at higher levels of government. On the other hand, minority representatives in cities are probably a barrier to dispersal. Why would politicians dilute their own constituencies?

So, a dispersal strategy puts the cart before the horse. The mobility strategy discussed above, however, combines both objective three and a revised objective four. The mobility strategy of connecting central-city residents with suburban employment directly confronts the decisive barriers to job access—training, information,

[17] See M. A. Hughes, "Moving Up and Moving Out: Confusing Ends and Means About Ghetto Dispersal," *Urban Studies* 24 (December 1987): 503–517.

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and transportation. Also, the mobility strategy creates incentives for city politicians (who retain residents—that is, voters) and suburban employers (who gain access to labor supply pool). Finally, the mobility strategy creates the proper conditions under which dispersal is genuinely possible: it fosters the creation of a mobile population capable of integrating itself into middle-class suburbs.

What of the barriers to integration created by out-and-out racism? Admittedly, nothing in the mobility strategy confronts this. We must call for continued and increased enforcement of fair housing laws. However, if socioeconomic parity is not a sufficient condition for racial integration, then it is surely at least a necessary condition. Thus, the role of the mobility strategy remains intact.

For all these reasons, we believe the Mount Laurel strategy to be fundamentally ill-conceived. Fortunately, the story takes a turn for the better with a recent reorientation of the Mount Laurel strategy, which has targeted a specific objective and designed a mechanism that works within political and economic constraints to achieve that objective.

Regional Contributions Agreements

From the beginning, with its Mount Laurel I decision in 1975, the New Jersey Supreme Court has considered the legislature to be the proper forum for the resolution of land-use and housing issues. When the court itself began to design and implement policy in its Mount Laurel II ruling after years of political stalemate, the legislature finally acted on the explosive issue and passed the Fair Housing Act in 1985. This legislation created an administrative alternative to litigation—the Council on Affordable Housing. The following year in 1986, the court sanctioned the legislation and gave legitimacy to the council's authority over the state's Mount Laurel problem.[18]

The Fair Housing Act and the subsequent work of the council have followed the guidelines laid down by the court in Mount Laurel II. Specifically, the central notion of a regional fair-share obligation for each municipality is still in place. There is a fundamental shift, however, in the council's strategy, which has created the opportunity for municipalities to make Regional Contribution Agreements (RCAs). RCAs are deals negotiated between municipalities where one municipality (the sender) pays a sum of money to a second municipality (the receiver) to accept up to half of the sender's fair-share obligation.

RCAs fundamentally alter Mount Laurel policies, because they focus exclusively on redistributing income for housing and dilute the spatial redistribution of low-income households that was the core of the original Mount Laurel strategy. While in theory any political jurisdiction within one of the state's six housing regions can pay any other jurisdiction within the same housing region to accept half of its Mount Laurel obligations, in practice the potential senders are almost exclusively middle- and upper-middle income townships; the receivers are almost exclu-

[18] See *The Hicks Development Corporation v. Township of Bernards*, 103 NJ (1986).

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sively central cities. Thus, dispersal of low-income households will be reduced with extensive use of RCAs.

Many liberal commentators view RCAs as a sellout, because they retreat from the spatial redistributive aspects of the Mount Laurel decisions. We disagree, because the original Mount Laurel strategy is not likely to serve well the worthy objectives of augmenting access to decent housing, local public goods, suburban employment, or socioeconomic integration. In addition, we believe if the RCA game is structured correctly, far more income will be redistributed than would have occurred in the original Mount Laurel game. RCAs, if designed correctly, are precisely the type of centralized solution we described in our early discussion of centralized versus decentralized solutions to the market failures in the provision of local public goods. RCAs give property rights to disfavored areas and allow them to extract wealth from privileged areas.

We suspect that RCAs currently only partially fulfill the opportunity they represent, however, because two design flaws lower the per unit price in current RCA packages. First, potential receivers (older central cities) are precisely those municipalities that have current concentrations of lower-income households, and potential senders (growing suburbs) are more affluent municipalities whose fair-share obligations are based on redistributed poor people, not current residents. The potential receivers have a current need for better quality lower-income housing as well as a current constituency of voters who would reward the meeting of this need. Thus receivers enter the negotiations over RCA prices with a weaker bargaining position than potential senders. Second, each of the housing regions (the legally defined markets for RCAs) contains more than one potential receiver. For example, the Southwest Region contains Camden and Pennsauken; the Northwest Region contains Newark and Elizabeth. These two conditions make it likely that potential receivers will compete to bid down the prices of RCAs to where they just cover the per-unit cost of construction or rehabilitation of the housing in the receiving municipality.

Of course, this is one possible and defensible outcome of the RCA mechanism. However, we assert that there is a superior outcome that more fully achieves the redistributive objectives embodied in the court's decisions. Consider the following. The New Jersey Supreme Court has in effect developed a new set of property rights regarding housing obligations; and the legislature, through RCAs, has allowed half those obligations to be traded. Before trading begins, the council bestows initial endowments upon each of the municipalities in the state—the fair-share obligations of lower-income housing units. The creation of RCAs by the legislature has made those property rights alienable or tradeable. (More precisely, the council has made half of the property rights tradeable.)

Just what are the property rights we speak of? Many believe that lower-income housing units are being traded. We believe that the right to exclude lower-income households is being traded. The price negotiated in an RCA should not be the minimum cost of building a house in the receiving municipality. Rather, the RCA price should reflect the maximum willingness to pay to exclude on the part of the

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sending municipality. This is the amount that is related to the general welfare loss referred to by the court in the quotation at the beginning of this article. Furthermore, this is the amount that will maximize the revenue available for low-income housing in the state.

What is this amount? It is the RCA price at which the potential sender is indifferent between transferring its fair share elsewhere and building its fair share inside its boundaries. How could this price be determined? The price of RCAs in the current market structure is likely to be close to the minimum cost of constructing the actual housing. That is to say, the price is not likely to reflect any of the social costs the poor might impose on receiver cities nor any of the consumer's surplus that suburban residents might be willing to part with in order to reduce their Mount Laurel obligations.

We recommend redesigning the market to foster outcomes closer to the maximum willingness to pay to exclude. The general idea would be to grant a monopoly right to potential receivers. This could be done most simply by increasing the number of trading regions so that each RCA market contained one potential receiver and several potential senders. Another way would allow a central authority to assign each receiver to a unique set of senders and then allow them to trade. In either case, the receiver should be able to extract much of each sender's willingness to pay to exclude if the obligations are genuinely enforced within the time limits. Would this allow central cities to extort suburban municipalities? Not at all. Suburban areas always could choose not to trade and simply build their fair-share obligation.

A remaining issue is how the funds for the RCA will be raised by the sending municipality. In the early deals, municipalities have extracted rents from developers who are willing to pay for the right to construct new dwellings in the sending municipality. This mechanism is dependent on the current New Jersey boom and hence is not viable over the long run. In addition, such schemes raise the incidence problems found in conventional Mount Laurel strategies. Who should actually pay to exclude? New entrants alone or all residents? Our preference would be the latter. This avoids many of the inefficiencies discussed at length in the preceding section. The explicit costs of exclusion would simply become part of the local public services consumed by residents.

Conclusion

Discussions of public policy issues rarely stay at the level of the forest. Instead they tend to focus on one or more trees in the forest, which in turn become reified as the litmus test for classifying right- and wrong-thinking people. The Mount Laurel controversy is no exception. If the discussion ever started at the level of how best to combine allocational efficiency with redistribution in local housing and land-use markets, it quickly degenerated to the level of are you for or against Mount Laurel. People who favor Mount Laurel care about poor people, while people

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who criticize Mount Laurel are callous supporters of privilege and inequality. Conversely, people who favor Mount Laurel are intrusive social engineers, while people who criticize it are only making points that are obvious to any first-year economics student.

We have tried to demonstrate that the seemingly liberal Mount Laurel policies in fact have some peculiarly regressive outcomes, while the supposedly reactionary RCAs actually combine allocational efficiency with equity in a very clever way. In particular, Mount Laurel inclusionary zoning policies (because they involve cross subsidies, depend on housing-market entry restrictions, redistribute only once, and redistribute much less than the Mount Laurel tax because of deadweight loss) actually can lower the housing quality of those low-income citizens who don't receive Mount Laurel units; they can reward existing homeowners who created the "problems" in the first place. In addition, Mount Laurel policies primarily serve young people whose life-time income profile is middle class but whose current wealth does not allow home ownership because housing prices recently have risen faster than incomes. Finally, current research strongly suggests that moving low-income citizens closer to suburban jobs will not raise their welfare as much as augmenting their human capital and transportation budgets; nor will dispersal aid socioeconomic integration as much as advocates believe.

Regional Contribution Agreements, the seemingly regressive retreat developed by the legislature to allow suburbs to escape Mount Laurel, actually have the potential to really redistribute wealth to those already living in central cities – the people who really need assistance. And this is the other hand of the issue. There are people in need of assistance. Our income-segregated settlement system exacts costs that are quite obvious in Newark, Trenton, Camden, and beyond the boundaries of New Jersey. We suggest that RCAs, a market for forcing payment of these costs, are a great opportunity.

In closing, do we really want to build the expression of preferences for exclusion into local land-use regulations, indeed into the structure of our settlement systems? Clearly, our answer is a grudging yes. It is important to note, however, that this answer is motivated by the recognition of some rather imposing constraints. Economic arguments aside, Americans have exhibited an abiding preference for local control, for small-scale homogeneity, and for territoriality. If anything, we believe our recommendations challenge such preferences. In a market-oriented society, willingness to pay is the acid test for the strength of preferences. Therefore, forcing affluent communities to calculate their true willingness to pay to exclude is perhaps the best way to mitigate the current income segregation of housing. Regional Contribution Agreements require precisely this calculation.

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Fiorello H. La Guardia, Political Maverick: A Review Essay

HERBERT KAUFMAN

Thomas Kessner's big, impressive book[1] on New York City's most notable mayor invites—no, demands—comparison with Robert A. Caro's massive study of Robert Moses.[2] Although Kessner entitles his volume *Fiorello H. La Guardia and the Making of Modern New York*, and Caro subtitled his *Robert Moses and the Fall of New York,* they are both writing of what they consider the financial and physical and social undoing of the metropolis. Each biographer declares his subject had a stupendous impact on the city. Each asserts the impact created more problems than it solved.

Here is Caro, writing in 1974:

> In the evening of Robert Moses' forty-four years of power, New York, so bright with promise forty-four years before, was a city in chaos and despair. His highways and bridges and tunnels were awesome—taken as a whole the most awesome urban improvement in the history of mankind—but no aspect of those highways and bridges and tunnels was as awesome as the congestion on them. He had built more housing than any public official in history, but the city was starved for housing, more starved if possible, than when he started building, and the people who lived in that housing hated it. . . . He

[1] Thomas Kessner, *Fiorello H. La Guardia and the Making of Modern New York* (New York: McGraw-Hill, 1989).

[2] Robert A. Caro, *The Power Broker: Robert Moses and the Fall of New York* (New York: Knopf, 1974).

HERBERT KAUFMAN was coauthor with Wallace S. Sayre of *Governing New York City: Politics in the Metropolis.* He was for many years a member of the Department of Political Science at Yale University, and then of the Governmental Studies Program at The Brookings Institution. His review article of Robert Caro's book on Robert Moses appeared in the Fall 1975 issue of *Political Science Quarterly.*

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had built great monuments and great parks, but people were afraid to travel to or walk around them.[3]

And Caro contends that these deplorable conditions are attributable more to Moses than to any other individual.[4] They were mostly his fault, says Caro, because he was more interested in his own power than in the well-being of the community he ostensibly served.

Kessner, writing in 1989, is more admiring of La Guardia's accomplishments:

> Before La Guardia, the metropolis was a congeries of antiquated boroughs; a city haphazardly administered with parsimonious social and health services, no public housing, decaying parks, and inadequate bridges; a city in which it was said every department had its price and its contact person for graft. Under La Guardia, the city built itself anew, throwing bridges over the waters and digging tunnels under them, erecting new reservoirs, sewer systems, parks, highways, schools, hospitals, health centers, swimming pools, and super air terminals. For the first time New York offered its poor public housing, its working class a unified transit system, and its artists and musicians special training and subsidies. The outdated charter of 1898 was replaced by a fresh compact that centralized municipal powers (pp. 589–90).

But in the end, Kessner, like Caro, is severely critical of his subject: "the rise of the modern city," he contends, "was not an unmixed blessing, and La Guardia's achievement was not without its serious shortcomings. . . [I]t was built in unusual times with federal funds. Before he even left office, this cash had already stopped flowing as freely as it once had" (p. 590). "La Guardia spoke with abandon about billion-dollar-plus programs, but he failed to analyze the real impact of the decade of government largesse on his city. He neglected to appreciate the true cost of more such programs and to accept the fact that New York had reached the limit of its ability to absorb such expensive gifts" (pp. 560–61). Even "[t]he city's physical plant had simply grown beyond its own ability to care for it" (p. 561).

Kessner also ascribes to La Guardia the establishment of a modern bureaucracy in the government of New York City. "His furious tirades against the bureaucrats obscured the fact, but a society growing ever more complex could not provide the benefits he planned without rational systems of mass service, without, in other words, depersonalized bureaucracy. . . . He did not understand the paradox" (pp. 589–90, 591). Consequently, "[b]y the time he left office the city had been transformed into a colossal metropolis; it was also saddled with debt, an infrastructure too expensive to maintain comfortably, dangerously expanded citizen expectations, and a snowballing bureaucracy" (p. xvi).

Kessner and Caro are by no means always in agreement. But about what La Guardia and Moses, those two contemporaneous giants, individually and jointly did to the city, the authors' views are remarkably convergent. Both authors had challenging, though dissimilar, tasks. Caro had to plow new ground. For all the

[3] Ibid., 20.
[4] Ibid., 5.

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celebrity Robert Moses enjoyed, he was something of a mystery to the general public, a rather shadowy idol known mostly for the mammoth public works associated with his name. Not much had been written about him, and little of that was perceptive or revealing. His biographer was obliged to work almost from scratch, and much that he unearthed was new. Perhaps that's why the text of his volume is nearly twice the length of Kessner's; Caro was not adding to an elaborated record, but assembling the record. Most of what he reported was automatically likely to be fresh.

In addition, he had a mystery to unravel: how did an official who held only appointive positions and whose only foray into an electoral arena was a disaster (Moses ran for governor of New York State in 1934 and was resoundingly defeated) acquire and exercise such enormous influence over New York City and its entire metropolitan region? He wielded more power than many a high elected officer and became, in Caro's estimation, the greatest single force in the area.

Kessner, on the other hand, was chronicling a highly visible and colorful politician who had been under scrutiny in electoral contests for all of his career, and had been in the national and even the international spotlight while in Congress and later as the head of a major federal agency and director of a worldwide international organization. Moreover, he had already been the subject of a number of biographies, a plethora of memoirs and articles, and even a successful musical (*Fiorello!*) on Broadway. It is a tribute to Kessner's skill that he manages to keep his story engaging and informative. He makes extensive use of prior work, including a host of unpublished doctoral dissertations. To them he adds a wealth of evidence from archival materials, collections of personal papers, personal interviews, oral histories, and scrapbooks of newspaper clippings. From them emerges a rounded, though not altogether unfamiliar, portrait of La Guardia.

Given the high positions La Guardia held, and especially his three terms as mayor, his central role in the history of the city is hardly surprising. Yet Kessner, too, had a puzzle to solve. La Guardia was not cast in the mold of most establishment figures. Born in New York of Italian immigrants, he was taken by his family to Arizona when he was a child and then back to Europe as a teenager, where he eventually found employment in the U.S. consular service. Not until he was approaching twenty-four did he return to the United States. Only then did he acquire his high-school equivalency diploma and enter law school (college degrees not being a requirement for law school admission in those days), supporting himself with a variety of jobs. His background, like everything else about him, was unlike the prevailing pattern among party functionaries and leaders on the one hand and municipal reformers on the other. Even physically, his short stature, swarthy complexion, and flashing dark eyes set him apart.

His style was still more distinctive. La Guardia was outspoken, combative, explosive, mercurial, sometimes crude, often irascible, and frequently hard (sometimes to the point of cruelty) on the people who worked for and with him. He was also authoritarian, suspicious, exceptionally defensive and touchy, and above all a loner. There was always a wall between him and other people, including, according to Kessner, his immediate family: "From a young age Fiorello found it

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difficult to trust people, to show tenderness, or to accept criticism. Resentment and anger motivated him far more powerfully than affection or admiration, and he related to authority figures in a prickly, offensive fashion" (p. 11). His "inability to set aside his suspicious nature and suspend his assumptions of low motive even for those close to him made friendships very difficult. The same suspicious reserve that kept him from sharing confidences with his wife and led him to expect the worst from his children kept him from forming close relationships with others" (p. 445), with the exception of Charles Culp Burlingham, a patrician reformer whom he did love and trust. He would never be a team player, a loyal organization man. These are not qualities one would identify as harbingers of political success. Yet, although La Guardia's ambitions for elective office higher than the mayoralty were never fulfilled, he succeeded spectacularly. Kessner seeks to explain how. That is the core of his book.

Like Caro, Kessner attributes much of his subject's success to the man himself. La Guardia was highly intelligent, immensely ambitious, and exceptionally courageous. He had, or at least seemed to have, supreme confidence in his own judgment, rarely hesitated over a decision, and almost never wasted time on regrets or self-reproach. These traits alone almost assured that he would make his mark on the world. But he had many other assets as well. For one thing, he was supremely energetic. When he threw himself into a task, he would exhaust his staff; yet he would somehow find reserves of strength to continue his killing pace. (Indeed, Kessner asserts there were periods when he drove himself to the point of physical and nervous collapse.) Sometimes, it seemed as though there were several Fiorellos on the loose simultaneously.

In addition, he was utterly opportunistic. For example, he was too much of an individualist to be constrained by considerations of party allegiance. He was in and out of the Republican Party over the years, as his situation in a given campaign dictated, and his nominations by the party were usually wrested from it rather than warmly bestowed on him. Once, he was elected to Congress on the Socialist ticket. After his election as mayor, he would have nothing to do with the Fusion Party, whose ticket he headed. He seemed singularly gentle with Edward J. Flynn, the Democratic boss of the Bronx (presumably because Flynn had managed the 1940 presidential campaign of Franklin D. Roosevelt and La Guardia had his eye on a Washington post). His political loyalties were often adjusted to his political opportunities and aspirations.

Similarly, his policies, public utterances, and official actions could be purely expedient. "I can outdemagogue the best of the demagogues," and "I invented the low blow," Kessner quotes him as saying, (pp. 70, 250). He declined to criticize Mussolini publicly, even after the Italian invasion of Ethiopia, for fear of offending Italian American supporters, and he blatantly courted other ethnic groups equally assiduously. He railed against and fought and reduced corruption in the public service, yet he was not above employing patronage and ballot-box stuffing from time to time when it suited his purposes. He fought Herbert Hoover's proposed national sales tax as regressive, deliberately rejecting his staff's carefully drafted

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analysis and proclaiming, "I am simply going to say, '*Soak the rich*' " (p. 181). But he signed a city sales tax into law soon after taking office and later petitioned the state legislature to authorize its continuation even when the city budget began to show small surpluses. He compromised with the owners of tenements when they threatened to evict tenants and board up their buildings rather than comply with rigorous new safety guidelines issued by his housing commissioner; indeed, he fired the commissioner. And, in general, "while gearing up for a prodigal city he continued to talk economy and bare-bones budgets" (p. 390). He did whatever he felt he had to do to win the battles he took on; he used any means to attain his ends.

All the same, he probably would not have won so many victories if he had not had in abundance a mystical ability to arouse enthusiasm and loyalty and obedience in voters, colleagues, subordinates, and nominal superiors. He was an archetypical charismatic leader. Even people he treated with brutal contempt continued to serve him faithfully. Even people he fired or drove to resignation remained admirers. Even politicians and reformers who abhorred him gave him their grudging support. And many of his constituents—especially the poor, for whom he fought as a matter of principle as well as of strategy—adored him. He apparently had a magical gift for winning the kind of devoted allegiance that he himself was hardly ever able to give to others.

When Kessner puts all these qualities together, La Guardia's rise to eminence despite his nominal political handicaps is no longer surprising. The way he managed his political ascent was not invariably pretty or pristine, but it certainly was effective.

His executive style was likewise the product of the kind of person he was. As mayor, he ran the city's administrative establishment personally, autocratically. One of his first moves was to seek state legislation granting him vast power to reorganize the city government. So much power would have been concentrated in the mayor that it was whittled down by the Democrats in Albany before it passed, but La Guardia did gain some important leverage from what was left. Incapable of delegating authority, he then employed that leverage to intervene in details of departmental operations, bombard his commissioners with directives and memoranda, and forbid them to appear before the Board of Estimate or to contact state, federal, or other municipal governments without his permission. His personal appearance at major fires and other emergencies became the stuff of legend. But he also would make rounds of police precinct stations (where he would sometimes exercise his authority to hold court as a magistrate), direct his civil service commission to institute a new series of examinations, berate his sanitation commissioner in the middle of the night for not knowing that snow had started to fall, inspect new ferries himself, criticize door designs in a prison, summon a department head from vacation to appear before him, or reorganize a department while its chief was away. He also seemed to take pleasure in abusing and humiliating his commissioners as a way of keeping them on their toes, letting them know who was boss, and perhaps just for the pleasure of seeing them cringe. Robert Moses and Sigismund Goldwater, the commissioner of hospitals, were among the few

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who had such professional standing that they refused to put up with this treatment and got away with their defiance. And La Guardia "was never able to make the police an effective instrument of his own priorities" (p. 363). But most of his appointees, according to Kessner, though they were people of high ability and considerable reputation, were intimidated. And that enabled the fiery mayor to put his personal stamp on the city's government—to root out much of the corruption and incompetence he inherited, to expand services and improve their quality, to elevate the status and competence of the civil service, to make the government more humane. In short, La Guardia turned New York City into what Kessner means by a modern metropolis. Whether anyone less aggressive and autocratic and arrogant and talented than Fiorello would have been able to achieve so much is arguable. He, certainly, could not have done it any other way.

Perhaps because Kessner is a professional historian, he is less disposed than Caro to portray his subject as *the* power determining events in the metropolis. To be sure, Kessner is lavish with the credit he gives La Guardia; for instance, "He made New York a modern city, an honest city, a humane city, a city that got out from under the thumb of the state to develop its own relationship with Washington. . . . La Guardia led not only New York City but all the other cities in the country in forging a new relationship with Washington" (p. 590). At the same time, Kessner describes La Guardia as a product of his times, a leader propelled to power and prominence by circumstances over which he had little control. In some periods, he was the serendipitous beneficiary of those circumstances. Because he was a great man, he made more of those controlling conditions than ordinary individuals could have. Great as he was, though, not even his biographer claims he either created or commanded them.

In Kessner's own words:

> Fiorello La Guardia's political career had been lifted high by a wave of national liberalism brought on by the Depression. During the twenties, he had been a progressive at odds with the dominant conservatism of the times. . . [B]y 1932, . . . his ideas did achieve some prominence as a result of economic catastrophe. . . . The story of his mayoralty is the story of a fundamentally altered America. Experiment, New Deals, and the progressive spirit of moderate reform that La Guardia so forcefully represented in the twenties became the conventional politics of the thirties, thrusting him into a leading role. . . . It was a mayoralty of a piece with its times, with the presidency of Franklin Roosevelt. . . . [I]t was a product of time and place (pp. 588, 591, 573).

Had the country not changed when it did, in other words, La Guardia might have ended up a bit player instead of a star on the national and world stages. Beyond question, had he lacked star quality, he would not have gone as far as he did no matter what was in his favor. It is equally true that if the environment had chanced to be different, his potential would not have been realized.

He was the victim as well as the beneficiary of the times in which he lived. For the times changed swiftly; La Guardia did not. All through the years, he remained the same man. Not only his behavior, but even his ideas, according to Kessner, were marked over his entire lifetime by "massive consistency" (pp. 261, 591). Fi-

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orello was always Fiorello. In a new context, the characteristics and tactics that had been so advantageous to him for a long interval were transformed into heavy liabilities. La Guardia, in other words, was not a man for all seasons; rather, he was perfect for some and unsuited to others. He was a great man in the pattern of other classic tragic heroes.[5]

For one thing, as the end of his second term as mayor approached, New York no longer required the gifts he brought to the office. He had come in with an agenda for change, and most of those objectives were achieved. Now, Kessner contends, what was needed was someone who could preserve and manage what he had already accomplished. "The city had reached a modern impasse: big government pitted against its cost. Fiorello was not prepared to devote the rest of his career to plugging budget gaps and keeping officeholders efficient and honest" (p. 451). That prospect bored him. He was looking for new worlds to conquer.

Kessner offers evidence that he had his eye on the presidency. He was not about to run against Roosevelt, whom he was sure he couldn't beat, but be believed FDR would not break with tradition and try for a third term, in which case he thought he had a chance. He took more and more conservative positions and actions in an effort to make himself acceptable, if not attractive, to a national constituency, and neglected the city as he strove to strengthen his national image around the country. When Roosevelt decided to run, La Guardia was sorely disappointed. He was mentioned as a possible vice-presidential candidate with Roosevelt; that did not pan out. The biggest prizes were denied him.

He then invested much of his abundant energy seeking some other high post in Washington, especially as the war in Europe heated up in 1940. Gradually, he eased up on his battles with New York Democrats to improve his chances of a major appointment, or possibly even of nomination for the Senate under the Democratic banner. And he broke once more with his own Republican Party to campaign vigorously for Roosevelt. He yearned for something in the leadership of the war effort.

He was in for more disappointments. The president made him chairman of the American side of the U.S.–Canada Joint Permanent Defense Board in August 1940. However, Kessner declares, FDR had plans to appoint La Guardia secretary of war after the election. Nothing came of those plans when Roosevelt heeded warnings that the mayor was "temperamentally unsuited for a cabinet post" (pp. 481–82, 484). His name came up for lesser positions; La Guardia, though apparently eager for almost anything in Washington, declined. He was then offered the unpaid directorship of civilian defense, which he proposed be elevated to cabinet status. The proposal was rejected. Without relinquishing the mayoralty, he nevertheless accepted the job and threw himself into it with characteristic vigor; within a short while, "Bernard Baruch confided to Harold Ickes that La Guardia was getting in the president's hair" (p. 494). Frustrated and irritable, he decided to run for a third

[5] See Erwin C. Hargrove, *The Tragic Hero in Politics: Theodore Roosevelt, David Lloyd George, Fiorello H. Laguardia* (diss., Yale University, 1963).

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term as mayor in 1941 while continuing in his civil defense post. He won a narrow victory. He was slipping.

He was eased out of his civilian defense post in early 1942, whereupon he concentrated on lobbying for another dream, a military position. In 1943, there were reports that Roosevelt would make him a brigadier general to administer North Africa and Italy after an invasion; the opposition of Generals Dwight D. Eisenhower and George C. Marshall and of Secretary of War Henry L. Stimson put that prospect to rest. Indeed, Stimson resisted repeated requests by the president that La Guardia be appointed to various military posts, and the president's suggestions found no favor with the secretaries of State and Navy, either. Fiorello never did win his epaulets.

Meanwhile, with his attention focused elsewhere, things began to deteriorate in the city. His administrators were increasingly disaffected. The reformers were more and more alienated. Civil libertarians were up in arms over his cavalier disregard of the rights of Japanese Americans and anyone he considered a racketeer. Problems of petty corruption began to plague his government. Budgetary problems were mounting. His prospects for reelection in 1945 looked dim. When Roosevelt died in April of that year, the prospects vanished altogether; Harry Truman knew him from Washington, was not one of his admirers, and would not give him the White House support he would need for a victory. His home base was crumbling.

"His era and its assumptions were passing," Kessner comments (p. 565). "The insurgent era was passing. Postwar America embraced other voices and other agendas" (p. 569). "[H]is style of government was pitched to a different time and a different sensibility" (p. 570). Fiorello, probably sensing his vulnerability, declined to run for a fourth term as mayor in 1945, and on New Year's Day 1946 bade farewell to city hall.

He still had one more fling at public service that year; he became director general of the United Nations Relief and Rehabilitation Administration. But American attitudes, driven in large part by cold-war anticommunist sentiment, grew hostile to the agency; he could not persuade the government to extend its life beyond its expiration date at the end of 1946. "[F]ew were listening to the old man. Increasingly, he was dismissed as out of sorts, out of touch with the times. In the old days he could share his gripes with the president and his advisers. But the times were different now. And many were prepared to ignore his old shrill voice" (p. 588). The forces in the nation and the world which had once brought him to the forefront were replaced by others that pushed him aside. As Kessner demonstrates, even Fiorello La Guardia, for all he did to shape the era in which he lived, was more the result than the master of his times.

As a matter of fact, many of New York City's greatest attainments antedated La Guardia. As Kessner points out, "For more than a century the imperial municipality had swallowed up outlying regions, annexing them to the greater city. It threw bridges over rivers and tunneled under them, reached 200 miles away to bring fresh water, and built an extensive hospital and educational system. It erected the

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largest subway system in the world and cleared a world-class park to adorn its midsection. The colossal city accomplished this and considerably more without federal or state assistance. Indeed, its robust economy produced generous surpluses for Washington and Albany" (p. 292). In other words, the factors driving New York's evolution had been at work for a long time. They drove the city's development forward despite mismanagement and depredation by the nation's quintessential political machine. It seems reasonable to surmise that the process would not have stopped no matter who occupied city hall. Under La Guardia, it probably went further and faster than would otherwise have been the case. Chances are, given all the other things involved, it would have gone in the same direction had he not appeared.

Similarly, the new links between New York and Washington during La Guardia's tenure, which Kessner credits largely to La Guardia, almost certainly would have formed no matter who had been mayor. New Deal strategists went to the aid of cities, after all, because urban populations were one of the major components of the coalition that put them in office. The impetus for new urban initiatives came as much from Washington as from the cities. The mass financial collapse of municipal governments, with the cessation of vital services such failures would entail, would surely have been intolerable to the only institution possessed of the resources to prevent the havoc—the federal government. The federal programs designed to help the poor had to rely to some extent on municipal agencies because these agencies had staffs already in place. A host of elements came together to tie cities to the administration in Washington; Kessner himself says, "modern times had put an end to the self-sufficient city" (p. 292). La Guardia or no La Guardia, that end would have come.

Still, there is no denying that the diminutive Fiorello was a political giant and a fascinating figure. He certainly blazed across the political firmament, leaving a trail that will be visible and admired for a long time. Kessner has done a fine job of capturing his complexities, contradictions, and vitality as a person, a politician, and an administrator.

Kessner's narrative is enlivened by his spirited statements of his personal opinions. Not one to let the facts speak for themselves, he dauntlessly pronounces judgments, such as chastising La Guardia for having "carried on like a perfect eleven-year-old," for an "exaggerated sense of his own self-sacrifice," for becoming "the prime whiner of the home front," and for "a sad, silly, troubling broadcast." Similarly, he castigates President Truman for his "shabby" and "undeserved" treatment of La Guardia in 1945 (pp. 319, 349, 551, 569, 574–75).

He also does not shrink from bold, occasionally overstated generalizations. For example, La Guardia "was despondent and feeling sorry for himself," but "the question that New Yorkers were asking was whether they were the ones who deserved the pity" (p. 504). And "La Guardia influenced what people ate, thought, wore, knew, and did through his weekly half hour" radio broadcasts; "the people came to rely on La Guardia to keep them informed about supplies of coal, fuel, food, and even shoe leather." Or, "Invariably New Yorkers today remember La Guardia

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as the mayor who spoke on the radio because it meant so much to them to have such an accessible mayor. . . ." Or again, when La Guardia testified in the U.S. Senate hearings on Bronx boss Ed Flynn's nomination to an ambassadorship, "Spectators crowded the hearing room anticipating Fiorello's revenge" (pp. 515–16, 517, 541). Kessner's style intensifies the inherent colorfulness of his subject. The combination makes for a good read.

In fact, Kessner seems at times to have been torn between writing a popular book for a general audience and producing a scholarly volume for a professional audience. The text is extensively footnoted, but there is no bibliography. Judicial decisions are mentioned, legislation and administrative regulations are described, but the notes contain no direct citations to them. Elections are fully discussed, but the voting numbers are not always presented. Clearly, Kessner did not intend his study to be an encyclopedic treatment of La Guardia, a complete and detailed manual; rather, it is a portrait painted in broad strokes, a grand overview. And in that it succeeds admirably. It is a most useful and interesting addition to, synthesis of, and improvement upon the work of Kessner's predecessors. It is happily free of all but the most trivial glitches that inevitably creep into any work of this scope.

Almost inescapably, Kessner is, in the last analysis, conflicted about La Guardia. Though he undoubtedly admires and respects him, he also sees all the man's flaws and failings, and he reports them honestly and fully. But when Fiorello's unattractive qualities were employed in the service of Kessner's own political values, I have the impression Kessner is a bit more tolerant of them than when they were used on behalf of things Kessner dislikes. As long as La Guardia pursued a liberal agenda and a fiscally prudent course, Kessner implies that his authoritarian, overbearing, cynical, arbitrary, ornery ways were worth putting up with. When La Guardia turned more conservative and fiscally incautious, Kessner gives greater weight to the negatives, finding him more selfishly ambitious, inclined to unacceptably tyrannical behavior, and eccentric to the point of pathology.

That is not to say Kessner is unaware of his conflicting leanings. On the contrary, he is quite conscious of them: "La Guardia's leadership made so many uncomfortable because until the very end no one could say with certainty whether the ultimate goal was personal power or public service. In the best of politicians—or at least the most effective ones—these two aims, theoretically so distinct, are inseparably entwined: personal rule in the service of transcendent public purpose" (p. 589).

The trouble is, what one person sees as a "transcendent public purpose" is often perceived by other observers as a facade for political advantage. Kessner's biography compels us to confront the possibility that condoning questionable behavior in political leaders for any purpose, however noble, is a risky practice. I dare say Kessner's objective is to raise this question, which makes his well-crafted story of a fascinating man all the more intriguing. In any event, in this biographer's hands, Fiorello La Guardia comes to life and continues to instruct and entertain and challenge us as he did when he occupied the center ring of the political arena.

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Book Reviews

China Eyes Japan *by Allen S. Whiting. Berkeley, University of California Press, 1989. 228 pp. $29.95.*

Allen Whiting has written a valuable book about a key aspect of Chinese foreign policy— China's relations with Japan during the 1982–1987 period. Based on extensive interviews with Chinese officials and scholars and their Japanese counterparts, Whiting presents a provocative thesis: China's image of Japan interferes with China's ability to pursue its national interests in its relations with Japan. He argues: "Chinese reactions to Japanese words and behavior during 1982–1987 jeopardized China's interest in better relations between the two countries. . . . [A]n underlying negative image structured Chinese perceptions of Japan and prompted responses of protest and antipathy disproportionate to events" (p. 19). Indeed, he sees this concern with perception and image as a recurring theme in many of his scholarly writings, and the implications of this concern for images versus national interests are perhaps made most explicit in this work.

The author makes his argument about the importance of Chinese images coloring Sino-Japanese relations in chapters discussing the heritage of World War II, anti-Japanese student demonstrations of 1985, positive images of Japan portrayed in the press, Sino-Japanese economic relations, China's views of Japan in the Pacific Rim, and the controversies in Sino-Japanese relations in 1987 after the fall of Hu Yaobang, China's most enthusiastic champion of Sino-Japanese relations. The major breakpoints and arguments are clearly specified and documented. This book should be the first source one turns to for analyses of 1982 and 1986 textbook controversies, China's reactions to the Japanese prime minister's (Yasuhiro Nakasone) visit to the Yasukuni Shrine, the Kyoto Dormitory case, etc. Perhaps the most important contribution in light of developments in China in 1989 is his examination of the student protests of 1985, which Whiting argues persuasively were spontaneous and reflect underlying popular beliefs about Japan. In fact, student protests play a major role in the evolution of Sino-Japanese relations during this entire period (the protests of 1986–1987 leading to Hu Yaobang's downfall), though this theme is somewhat more apparent in retrospect. Also of interest is the fact that

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in contrast to the works of Gilbert Rozman and David Shambaugh on Sino-Soviet and Sino-American relations, respectively, which demonstrate significantly different assessments within China about relations with these states, Whiting finds virtual unanimity in Chinese views of Japan. This contrast should stimulate further inquiry about China's foreign policy analysts.

One might raise a number of questions about Whiting's overall argument. First, what is distinct about China's reactions to Japan? As Whiting notes, South Korea and other Asian states looked askance at Japanese textbook revisions and other behavior that suggested that Japan felt no particular responsibility for World War II. Anti-Japanese feeling is widespread in Asia. How is the Chinese case typical or different in its manifestations of these views? In other words, is a focus on China appropriate for this study of the effects of images and perceptions on foreign policy behavior?

Second, Whiting's perspective is largely Sino-centric. He does not probe Japanese motives or aims in its relations with China. The old saw that "even paranoids have real enemies" might be appropriate here. Is Japan trying to saddle China with a neocolonial or dependent relationship? Are echoes of the Greater East Asia Co-Prosperity Sphere reverberating through Japan's more assertive role in world affairs? While it would be very difficult to determine conclusively what Japan's real aims are, a more predatory view of Japanese activity in China is at least worth considering.

Such a determination becomes vital if Whiting argues that China's image of Japan interferes with China's interest in expanded Sino-Japanese economic ties. He makes the case persuasively that China's image has indeed harmed Sino-Japanese ties, assuming that Sino-Japanese economic relations are characterized by a liberal trading regime dominated by comparative advantage. However, if as is increasingly argued in the United States, Japan's foreign economic policy is neomercantilist, it is possible that China's negative image of Japan is actually functional for extracting the best possible deal in Sino-Japanese exchanges. These questions should not mar a fine piece of scholarship, which is likely to be the definitive treatment of Chinese views of and interactions with Japan in the mid-1980s.

DAVID BACHMAN
Princeton University

Japan and Protection, The Growth of Protectionist Sentiment and the Japanese Response *by Syed Javed Maswood. New York, Routledge, 1989. 242 pp. $57.95.*

As U.S. hegemony continues to erode and friction between the United States and Japan over trade, defense, and aid issues becomes increasingly heated, study of Japan's changing role in the liberal international economic order (LIEO) is of increasing importance. In this context, Syed Javed Maswood's study of Japan's emerging global role could not come at a better time. But opportune timing does

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not compensate for unsubstantiated conclusions. While the book offers interesting and detailed data, the data do not support the author's conclusions that Japan is actively and genuinely trying to become a system supporter of the liberal trading system.

The study is framed in the ongoing debate over hegemonic stability. Maswood places his analysis in the realist school of thought in international relations, which holds that the LIEO requires the leadership of a hegemon for stability. But he modifies the hegemonic-stability thesis to incorporate a system supporter whose primary role "is to take on an additional burden of cost sharing and to adopt measures that mitigate the domestic pressures on the hegemon to renounce its position as leader" (p. 25).

Maswood uses four points to support his argument: Japan's acceptance of voluntary export restraints (VER) on autos; the Action Programme of 1985 to increase imports; policies to increase domestic demand; and efforts to increase imports from Asian countries. Each has major problems. As for the auto VER, while Maswood acknowledges that it provided Japanese auto firms with windfall profits and the Ministry of International Trade and Industry (MITI) with increased power, he still argues that the primary impetus to the agreement was Japan's realization that auto exports had to be restrained in order to support the LIEO. He primarily bases this argument on quotations of Amaya Naohiro, a former high level MITI official, saying so. While a scholar can never depend heavily (or lightly) on the statement of one person, Amaya is a particularly controversial person known for saying things to please foreign ears. Moreover, the bulk of Maswood's evidence suggests that Japan accepted the auto VER because it had no other viable option; it needed to quell the broader protectionist sentiment rising in the United States.

The second point Maswood uses to support his argument is that the Action Programme of 1985, aimed at increasing imports, "reflected a willingness on the part of Japan's political leadership to play a more supportive role in the international system" (p. 132). He acknowledges that it is still not clear that the ministries involved in implementing the plan are actually committed to doing so, but that "in so far as initiative has been taken, it indicated a new-found sense of responsibility" (p. 132).

His third point is that Japan has actively tried to stimulate domestic demand to reduce its dependence on exports and to increase imports *in order to contribute to the stability of the liberal economic order.* Japan has increased domestic demand recently, but this was not an independent initiative of the Japanese government to support the LIEO. It was done under heavy international pressure and domestic cries for a better quality of life. Maswood, like the Japanese ruling elite, is trying to convince us that Japan has to force new parks, libraries, highways, and the better life down its people's throats.

Finally, Maswood argues that Japan is planning to absorb more exports from its Asian neighbors *in order to reduce their dependency on the U.S. market.* He acknowledges that Japan has not yet made the changes necessary to do this, but shows their good intentions by citing former foreign minister Okita Saburo's state-

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ment that Japan should implement an Asian version of the Marshall Plan (p. 193). Like Amaya, Okita is a well-known spouter of the official line.

In short, while this book explores an important topic, provides some interesting data and insights into the pressures Japan faces today, and rightly places much of the blame for United States decline on American management and the lack of a coherent and comprehensive U.S. government policy towards business, its conclusion that Japan is actively and independently taking the initiative to change its policies and institutions in order to support the LIEO is not supported by the evidence. Readers should note that this book is published through the Nissan Institute for Japanese Studies.

MARIE ANCHORDOGUY
University of Washington

Germany, America, and Europe: Forty Years of German Foreign Policy *by Wolfram Hanrieder. New Haven, Yale University Press, 1989. 509 pp. $29.95.*

At the Creation of a New Germany: From Adenauer to Brandt, An Ambassador's Account *by George McGhee. New Haven, Yale University Press, 1989. 289 pp. $25.00.*

In the introduction to his impressive (and also massive) new study of forty years of West German foreign policy, Wolfram Hanrieder modestly informs us that he had no intention of writing a true diplomatic history of the Federal Republic of Germany. Such an undertaking, he suggests, would "most likely require a collective effort" (p. ix). But even if that is the case, what we have here (Hanrieder refers to his book as a "delineation") is no doubt the most comprehensive work yet by any single author on the subject, in English or in German. Where most writers would content themselves with relating individual developments in West German foreign policy, Hanrieder takes on the gamut of Bonn's international concerns, moving thematically from the evolution of the FRG's conceptions of security policy and arms control to its changing relations with the East and with the GDR in particular and concluding with the political economy of the state's foreign relations. Only the domestic aspects of West German foreign policy making seem somewhat cursorily handled, but the author's publishers may well have restrained his hand from adding yet another 100 pages to the manuscript!

Because Hanrieder's study goes beyond offering simply a broad brush treatment of its subject matter—in many instances, he offers us insight-filled sketches of issues as diverse as the fate of extended deterrence, the rise of the inter-German minidétente, and the evolution of Bonn's views on European monetary policy—this book will undoubtedly be a definitive resource for students of German politics for quite some time. But amidst all of the detail, the reader should not miss the more provocative thesis of Hanrieder's study: the FRG itself must be properly

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viewed as lying at the center of four decades of American foreign policy and specifically of a policy of "double containment." On the one hand, Hanrieder argues, the rearmament and economic reconstruction of the western parts of Germany were crucial components of U.S. efforts to contain the Soviet Union in the postwar era. But at the same time, these steps also served a secondary purpose. By integrating West Germany fully into Western Europe and solidifying the East-West contest around the German divide, Washington was able to fashion a network of institutional commitments that simultaneously resolved the problem of German power on the European continent. Ironically, as Hanrieder shows, many of the tensions to come in subsequent years between the Americans and their German allies derived not only from the problems involved in maintaining this strategy of double containment, but also from its successes. The more established the West German state became, the more it was able to draw upon its strengths as a European power to assert its distinctive interests against those of the United States

These are, in fact, the kinds of issues that concern George McGhee in his very interesting memoir of life in Bonn between 1963 and 1968. McGhee had the novel opportunity of being U.S. ambassador to West Germany during the reign of three different chancellors—Konrad Adenauer, Ludwig Erhard, and Kurt Kiesinger. Throughout his book, he provides unique, first-hand accounts of the growing pains experienced by the new West German state, above all in its relations with Washington—uncertainties over the Multilateral Force (MLF), mixed feelings about offset agreements that were perceived to have been forced upon it, and the drawn-out debate over the meaning of the Nuclear Nonproliferation Treaty.

Of the two authors, both of whom have considerable sympathies for the Germans, McGhee seems by far the most optimistic in his perspective on the U.S.–West German future. The trials of the past, he suggests, were largely due to the failings of individual politicians (Lyndon Johnson), whereas German-American relations in the years to come will be dominated by the very same cultural, economic, and military bonds that made these relations strong in the 1960s. In contrast, Hanrieder's prognosis for the relationship appears to be much more structural in orientation. He worries openly that the confluence of interests that once tied the two powers together according to the logic of double containment has now eroded. The abatement of the Soviet threat means that the West Germans can no longer be easily won over to the idea of aggressive cold war competition with the USSR. But at the same time, West Germany's maturity too means that Bonn will no longer happily play second fiddle to Washington in the conduct of European politics. Thus, Hanrieder recommends that the time has now come for the United States to replace double containment with a policy of "double détente," in which the FRG in particular is recognized as a full-fledged partner of the United States in continental affairs.

Of course, both of these books were written well before the stirring events of the fall of 1989, the opening of the Berlin Wall, and the reawakening of long-dormant prospects for German reunification. But Hanrieder almost presciently concludes his study wondering whether the West Germans will have the good sense

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to reassure their European neighbors by practicing a kind of "self-containment" as their country's role in the western world grows. Clearly, this is the key question that will concern students of German affairs over the FRG's next forty years.

A. JAMES MCADAMS
Princeton University

Germany Through American Eyes: Foreign Policy and Domestic Issues *edited by Gale A. Mattox and John H. Vaughan, Jr. Boulder, Colo., Westview Press, 1989. 183 pp. $28.50.*

This is not a comprehensive study of American perceptions of Germany. It is a collection of essays written originally as final reports by Robert Bosch Foundation fellows (five women, four men), each of whom spent nine months in Germany between 1984 and 1987. Bosch fellows "work at high levels in federal and regional establishments, businesses and banks, administrative bodies, television and radio stations, and on newspapers," and "they write reports with themes of their own choosing" (vii-viii).

Having been selected from more than forty that were written for the three years in question, the nine reports printed here include four on foreign policy issues and five on domestic issues. The former deal with United States-German relations since 1945, diplomatic and economic relations between the two Germanies (two essays), and the changing nature of East German foreign policy. The domestic-issues section, which is restricted to the Federal Republic, includes essays on the problem of unemployment, technological innovation, the legal situation of battered women, plea bargaining, and the German legal system and the problem of pretrial discovery of documents by foreign litigants. None of the essays appears to be based on archival research, but all of the authors make effective use of both German and English-language literature and other published materials relating to their subjects.

As is usually the case in collections of this sort, some essays will appeal more than others to a particular reader, and I shall not even attempt to judge their respective merits by a standard that I might devise and apply. I did find most interesting and informative the ones by Karin L. Johnston on the changing nature of East German foreign policy; Sandra E. Peterson on inter-German trade, financial, and economic relations; Barbara A. Reeves on the legal situation of battered women; and Dennis P. McLaughlin on plea bargaining. On the other hand, I was put off by David R. Larrimore's essay on environmental conditions for innovation in the Federal Republic, in part for its repeated comparisons between what is done in Germany and in the United States, and more so for its preachment on the "imperative" need for changes in such things as the work week, vacation time, sick pay, and other employee benefits; in the structure of the German economy; in information flows; in capital formation; and in "societal attitudes"—all in the interest

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of removing disincentives to technological innovation. Although others in the collection obviously also see "Germany through American eyes," in my opinion none of them does it so blatantly.

The book is carefully edited, the essays are uniform in length and format, and they all footnote reference materials. There is an index and a list of contributors, with appropriate biographical information. There are two appendices: one a list of West German federal governments and chancellors since 1949; the other made up of two speeches. One is by Theo Sommer, the editor of *Die Zeit*, on "The German Political Scene after Reykjavik," given at the annual conference of the Robert Bosch Foundation Alumni Association in Washington, D. C. in December 1986; the other was given by Horst Teltschik, an official in the West German Chancellory, on "The Role of Germany within NATO and Europe" at a similar occasion in September 1987.

JOHN GIMBEL
Humboldt State University

Harold Macmillan, Volume II: 1957–1986 *by Alistair Horne. New York, Viking Press, 1989. 741 pp. $27.50.*

Harold Macmillan was that rarity among political leaders: he was a deep and interesting person. He was formidably well-read, religious, thoughtful, and in politics ingenious. Though a shrewd party manager, he was marked by a crossbench mind. Though personally fastidious and dignified, he could be ruthless on political business. Though a dedicated politician and a man of government, he also had a life outside of politics. After his retirement he returned to the family publishing house and was a much loved and hard-working chancellor of Oxford University. Although a worldly success and gifted with ironic humour, his private life was unsatisfactory, even tragic. He was always a hypochondriac and after 1963 spent the best part of twenty years regretting that he had resigned the premiership in that year on faulty medical advice. The personal side of Harold Macmillan was well brought out in the first volume of Horne's biography, which covered the first fifty-six years of his life.

This second volume covers Macmillan's period as prime minister (1957–1963). Eighteen of the twenty chapters deal with his seventy months in office. For the first three years Macmillan could do little wrong. He reunited a divided Tory party after the humiliation of Suez, repaired relations with the United States of America, speeded up the retreat from empire, presided over an economic boom, and routed Labour at the 1959 general election. But in his second term of office, it all went wrong. The economy spluttered, his tentative approaches to enter the European Community failed, and he was seen by many in the party as a liability. Horne does a good job in portraying Macmillan moving from mastery to vulnerability.

The two other chapters deal with the twenty-three years of his retirement, what

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Macmillan called "Life after Death." The second volume is less satisfactory than the first in many respects. Horne is stronger on personality than on the minutiae of domestic politics, though he is good on the 1957 resignation of chancellor of the exchequer, Peter Thorneycroft. He sheds new, though controversial, light on Macmillan's role in paving the way for Lord Home to succeed him in 1963. The volume is good on the diplomatic interests of Macmillan, less so on the gathering economic difficulties.

Macmillan's death in 1986 released a flood of nostalgia. He was born when Queen Victoria was still on the throne, was the last link with Britain's relative international and economic dominance in the Edwardian age, and was the living embodiment of One-Nation Toryism (then under the heel of Margaret Thatcher). The old phrases about "Super-Mac" and "You've never had it so good" were heard again. After a thousand pages Horne does not offer his reader a rounded assessment of Macmillan's place in history. But there are judgments. Horne feels that Macmillan as prime minister was too absorbed in cutting a figure on the international stage, too slow to recognize the importance to Britain of the European Community, and when he did, badly mishandled Charles de Gaulle and Konrad Adenauer. These are the years that the commentators have come to see as missed opportunities for reform of trade unions, modernization of industry, overhauling the education system, and tackling the gathering inflationary pressures. Economic failures dogged Macmillan's administration, like it dogged his successors. By 1963 he seemed obsolete, an old man hanging on to office.

Scholars have criticized Horne for his inadequate use of the private papers of other key figures and for his reliance on the many conversations that he had with Macmillan. Horne did not agree with that school of historian which wants to rely solely on documents. He regarded his conversations with Macmillan as a goldmine.

Macmillan was always a complex politician; an earlier biography was subtitled "A Study in Ambiguity." He would read Jane Austen and Anthony Trollope at moments of crisis. But the mask of unflappability was just that. He was prone to depressions and suspected plots. Horne may regret that he has not penetrated the inner man. Like his subject, the book is a flawed masterpiece.

DENNIS KAVANAGH
University of Nottingham

Perspectives on Deterrence *edited by Paul C. Stern, Robert Axelrod, Robert Jervis, and Roy Radner. New York, Oxford University Press, 1989. 343 pp. Cloth, $42.00; paper, $19.95.*

How can a state prevent aggression by a powerful adversary whose behavior can plausibly be interpreted as an unlimited bid for power? The commonsense core of the answer provided by those who developed the "classical" theory of deterrence (with the Soviet Union in mind) was that the protector of the status quo

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should muster an unquestionable capability to punish transgressions and should make the threat to do so as clear and convincing as possible. It is not coincidental that the classical perspective on deterrence seems compelling when applied retrospectively to Nazi Germany, a case of deterrence failure with an understandably powerful hold on the theorists and policy makers of the postwar period. Thus, if the editors of *Perspectives on Deterrence* regard their subject as a still largely undeveloped field of inquiry, they do so out of a belief that the Munich analogy cast too large a shadow over subsequent theorizing (and, presumably, over U.S. foreign policy). Even Ned Lebow, whose chapter makes the sweeping claim that "deterrence is by its very nature a flawed strategy" (p. 26), later adds that "Hitler is the exception, not the rule" (p. 28).

Dissatisfaction with the classical theory's assumption of a relentless, yet coldly calculating adversary opened up an everbroadening field of scholarly inquiry bearing on the requirements of deterrence. *Perspectives on Deterrence*—notwithstanding its lack of direct attention to the critical role of nuclear threats in deterrence theory and practice—represents a major new contribution. First, the editors' introductory chapter, along with several of the volume's contributions by individual authors, comprises an excellent review of the vast social science literature on deterrence. In particular, Jack Levy's chapter on "Quantitative Studies of Deterrence Success and Failure" is exceptionally clear, informative, and balanced; further research will be strengthened by attentiveness to Levy's sympathetic methodological critique. The central findings of foreign policy case studies on psychology and deterrence are effectively outlined by Lebow, and a chapter by Barry O'Neill provides a brief but useful categorization of efforts to utilize game theory.

What makes this volume particularly noteworthy, however, is the editors' decision to "cast a wide net," going beyond the areas of research dominated by specialists on international security to include contributions exploring deterrence in other contexts: oligopolistic competition, trade wars, domestic unrest, and interpersonal conflict. While the editors'—understandably—are only partly successful in their effort to assimilate these disparate treatments (in the concluding chapter), the presentation of such wide-ranging research findings in one volume is certain to provide new insights and avenues of inquiry.

Perspectives on Deterrence grew out of a two-day 1986 workshop, and if an enterprise devoted to diversity can be faulted for an organizational flaw, it would be the participants' inconsistent usage of the term "deterrence." Thus, some authors use "deterrence" to describe efforts at "compellance," while others carefully distinguish between the two concepts. Worse, some authors use "deterrence" interchangeably with positive inducements. For example, Paul Schroeder describes the possibility of "deterring Russia . . . by grouping it in a general European Concert" (p. 77), while Jack Goldstone describes the value of "concessions and reforms . . . in deterring further opposition" (p. 231). The editors' opening chapter carefully delineates the meaning of deterrence as a subset of general efforts to affect the behavior of adversaries; making that clear to the contributors would have brought more conceptual order to the collection.

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Finally, more opportunity might have been given for proponents of contending views to engage each other directly. Thus, Lebow's blanket repudiation of the quantitative empirical literature is not counterbalanced by inclusion of a practitioner of that approach. And while the editors did include a reasonable defense of the classical theory (by George Quester), it would have been useful to see a rebuttal more directly responsive to specific critiques appearing in other chapters. These minor criticisms aside, it should be stressed that scholars interested in the role of deterrence in foreign policy will unquestionably find great value in this interdisciplinary overview of deterrence-related research.

DAVID GOLDFISCHER
University of Colorado at Boulder

Power and Insecurity: Beijing, Moscow & Washington, 1949–1988 *by Harvey W. Nelsen. Boulder, Colo., Lynne Rienner Publishers, 1989. 178 pp. Cloth, $30.00; paper, $14.95.*

Harvey Nelsen has successfully encompassed four decades of Sino-Soviet-American relations in less than two hundred pages. Not only has he selectively surveyed the primary Sino-Soviet interaction through alliance, confrontation, and détente, but he has added the United States as an independent variable with continuing impact on the Moscow-Beijing dynamic. As the title implies, the strategic framework shapes the focus of this survey to the exclusion of ideological and idiosyncratic factors. Nelson argues persuasively that the way in which the leaderships in Moscow and Beijing separately perceived the American nuclear capability and intent determined their posture toward each other. He finds this factor unappreciated in previous accounts, particularly for the 1950s and 1960s. He claims the strategic triangle still commands attention today, despite the tendency to focus on new thinking in Moscow and economic modernization in Beijing.

The analysis is based on a skillful synthesis of the existing literature. This serves the author well for the most part, except where recent revelations in more open Chinese and Soviet sources must be exploited to correct or confirm earlier studies. This applies in particular to the first decade of the alliance. Thereafter the survey flows smoothly and rapidly, providing a sweeping overview for the general reader. Details, however, suffer in the breadth of coverage. It was not Chiang Kai-shek who tried to seize the Chinese Eastern Railway from Soviet control in 1929, but the local warlord. The tsar, not Stalin, built "a long rail loop that skirted Manchuria" (p. 2). It was Roosevelt, not Stalin, who went for normalization of relations in 1933. The 1937 Sino-Soviet treaty was not "a secret alliance" (p. 3) but was public.

Verb usage is slipshod. Thus Stalin "ordered" Mao to accept coalition rule in 1946, offered "to mediate the civil war" that year and again in 1947, and "offered a Soviet guaranteed divided China" in 1948–49 (p. 5). No documentation is given

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for these assertions. Mao was not "eager to challenge enemies on his border" (p. 36), and Khrushchev's memoir is inadequate for claiming that Mao persuaded Stalin that the United States would not intervene in Korea. Equally unsupported is the claim that Mao wanted to enter the Korean War against Stalin's inclination.

Nelsen offers as the best explanation for Khrushchev's nuclear-sharing with Mao the goal of adding China to the Soviet deterrent against a U.S. first strike. Not likely. Beijing stopped railroad construction beyond Urumchi in the mid-1950s, not the mid-1960s. The author's source does not support his assertion that Moscow offered diplomatic relations if Taiwan would become independent, with a similar offer to the Tibetan exile movement in India.

These and other errors cumulatively weaken the book's value as a source for specific facts, but it nonetheless offers the most comprehensive and up-to-date survey of this major triangular relationship.

ALLEN S. WHITING
University of Arizona

Justice Rehnquist and the Constitution *by Sue Davis. Princeton, N.J., Princeton University Press, 1989. 224 pp. $19.95.*

It is a pity that Sue Davis, presumably under editorial and/or collegial pressure to take account of Associate Justice William H. Rehnquist's elevation to chief justice in 1986, deemed it necessary to write the last few pages of Chapter Ten. While her fundamental disagreements with the subject of her otherwise insightful and useful work are not hidden, she presents Rehnquist's judicial philosophy and ordering of values ably and comprehensively in her first nine chapters. Why, then, did she regard it appropriate to conclude with such an injudicious, political diatribe, topped approvingly by Senator Edward Kennedy's outrageous and intemperate vista of "Rehnquist's America"?

It is indeed a pity, because the gravamen of this commendable tome represents a sound study of Rehnquist's jurisprudential cosmos. Davis is obviously familiar with the pertinent literature; she knows how to undertake painstaking research with diligence and intelligence; and she has an informed grasp of the judicial process with the Supreme Court at its apex. Moreover, she generally understands and analyzes her subject with both insight and sophistication, in an author's seminal role as scholar, until she gets to those last few pages.

Davis points out ably and correctly that Rehnquist's basic judicial philosophy has three components with roots in legal positivism: a democratic model of the American Constitution; moral relativism; and a particular approach to interpreting the Constitution. The first is his firm commitment to majority rule as the optimal principle of governance: judges have an ironclad obligation to be deferential to elected government officials. The second asserts that no value can be demonstrated to be intrinsically superior to any other, that a particular value is authoritative only when it can claim majority support. And the third component is the jurist's

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embrace of the belief that the Constitution is limited to the document's text, that the latter has a fixed meaning, and that it thereby constitutes a set of rules to be embraced strictly. What follows logically is a commitment to a limited, indeed a minimal, role for the judiciary, a deferential and consequential Blacksonian one, personified in varying degree by such of Justice Rehnquist's illustrious predecessors on the court as Oliver Wendell Holmes, Jr., Felix Frankfurter, and (arguably, in the eyes of some) Hugo Black.

The Rehnquist legal positivist judicial tricomponent has translated itself—as Davis asserts perceptively, if perhaps a mite oversimplified—into an identifiable trifold ordering of values. The latter sees federalism in the highest position; indeed, it is so paramount that its articulation *cum* survival may even justify an occasional abrogation of the prescribed minimal role for the judiciary. The second-in-significance-ordered value covers property rights, and the third individual rights. Both the second and the third are thus subordinate to the superior value Rehnquist accords federalism. This is why, for example, he rejects the doctrine of "incorporation," the judicially pronounced, largely Justice Black-written application of the United States Bill of Rights to the states via the Fourteenth Amendment. The latter, needless to relate, is viewed in diametrically different lights by Justices Rehnquist and William J. Brennan, the two polar opposites on the current Court. (Nonetheless, Brennan has called Rehnquist "a splendid chief justice" and, like other participants in and observers of the Court's function, "an enormously effective, warm, congenial, and popular leader.")

Pace its regrettable conclusion, Davis's book constitutes a welcome addition to the roster of those significant works of judicial biography that enhance our understanding of the often fascinating and colorful individuals who have served at our judicial pinnacle with merit and dedication—such as the author's subject, a jurist of extraordinary intellectual power.

HENRY J. ABRAHAM
University of Virginia

America's Secret Power: The CIA in a Democratic Society *by Loch K. Johnson. New York, Oxford University Press, 1989. 344 pp. $24.95.*

Grounded in research in available primary sources, intensive reading in the secondary literature, and interviews with responsible congressional and executive branch officials (including 500 CIA officers and five former CIA directors and their key lieutenants), Loch Johnson attempts to survey the history of the CIA since its creation in 1947 through the Iran-contra affair of 1987. He offers a series of prescriptions to resolve the conflict posed by the competing demands of secrecy and democracy. The author aptly describes this purpose in his introductory comments as to "carry on the search for a greater comprehension of how the CIA,

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with its preference for shadows, might best exist in America's open society—especially how the United States might better manage the difficult task of balancing the genuine needs of national security, on the one hand, and the protection of civil liberties, on the other" (p. viii). Johnson concludes that an intelligence and covert action capability is essential to advancing the nation's security. At the same time, he recounts how the attendant need for secrecy can and did compromise democratic values and accountability. In separate chapters he describes in some detail, for example, the adverse consequences of secrecy for academic freedom, an independent media, and in permitting zealots (whether Richard Nixon's White House aide, Tom Charles Huston, or Ronald Reagan's National Security Council aide, Oliver North) to advance policies that might contravene long-term national interests as well as accountability. Johnson denies, however, that this history necessarily confirms the incompatibility of secrecy and democracy. He argues instead that "democracy and secret intelligence operations—despite their seemingly inherent antithesis—can exist safely and effectively within the same society, but only with the most careful precautions" (p. 6). Conceding that oversight whether executive (by the National Security Council, ambassadors, the CIA's inspector general's office) or by the courts and the media can serve to establish safeguards against abuse, Johnson nonetheless posits that the central safeguard resides in congressional oversight.

A fairly comprehensive survey of the history of the CIA, describing in some detail the agency's administrative structure and various activities, *America's Secret Power* offers little new information about the CIA's history since 1947. Johnson's interviews do not add significantly to the documentary record already available in the hearings and reports of the Church and Pike congressional committees of 1975–1976. Nor with the exception of the Iran-contra hearings of 1987 has Johnson uncovered additional documentation of the agency's activities. For the specialist already familiar with the disclosures of the Church committee or with Thomas Powers's *The Man Who Kept the Secrets* or Rhodri Jeffrey-Jones's more extensively researched narrative history *The CIA and American Democracy*, *America's Secret Power* offers little in the way of new information about the history of the CIA. Apparently this volume is intended to serve as a text for introductory political science courses on national security policy; and as such it is a useful survey. Furthermore, because Johnson eschews a chronological narrative approach, adopting instead a thematic approach wherein he cites examples of CIA activities without attention to time and significance, he does not extend our understanding of his study's central recommendation: the role and benefits of congressional oversight. Characterizing the history of CIA-congressional relations since 1947 as marked by the Era of Trust (1947–1974), the Era of Skepticism (1974–1976), the Era of Uneasy Partnership (1976–1986), and the Era of Distrust (1986—), Johnson fails to explain the basis for this changing relationship and how this relates either to changes in the U.S. international role after 1945, the policies and priorities of different presidents, or to the changed role and power of the presidency and the federal bureaucracy. His monograph, as such, does not directly address competing

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explanations offered by liberal and radical scholars of the National Security State and the Imperial Presidency.

ATHAN THEOHARIS
Marquette University

In Pursuit of Happiness and Good Government *by Charles Murray. New York, Simon and Schuster, 1988. 341 pp. $19.95.*

Charles Murray states his case for minimalist government with clarity and brevity and elaborates it with grace. In the end, I found the case unpersuasive, but along with most readers who may read this book, I suspect, I found the mental jousting this book compels to have been rewarding and enjoyable.

Murray's principal question concerns what government should and should not do to give people the best possible shot at leading rewarding and satisfying lives, in short at being happy. To live such a life, Murray asserts, people must have an income sufficient to buy what many would call subsistence levels of food, clothing, and housing, but no more. Furthermore, additional income does almost nothing to enhance happiness, which rests on constructive and challenging involvement in work, family, and community. Happiness derives from all three; no two are fully satisfactory. Government should make sure that people are left alone to work out their natural proclivity to construct such relationships. Almost nothing the government can do will help people in this task, and much that it does will hinder or defeat them. Murray restates briefly the central theme of his earlier book, *Losing Ground*, that current welfare programs, in particular, aggravate the causes of poverty, even as they treat symptoms of insufficient income.

To make clear the mischief government can do, Murray explores various government policies, but focuses on two areas: the 55 mile-per-hour speed limit and education reform. These are two fat targets for critics of public policy, and Murray fires a lot of ammunition. In the end he fails to establish his case for minimalist government, not because policies in these areas were well conceived, but because he does not come to terms with the case for intervention.

The 55 mph speed limit was wrong, he argues, because individual drivers can achieve most of the safety gains from reduced speeds by simply driving more slowly, regardless of what other drivers do. He does not even refer to the original motivation for the limit, to conserve fuel and reduce U.S. dependence on foreign suppliers. Nor does he acknowledge the possibility that how fast I drive may be influenced by the speed at which others drive. And readers who accept Murray's arguments against the 55 mph limit are left hanging, because the logic of the argument implies the undesirability of any speed limits at all, a possibility not addressed or explicitly defended. I suspect that Murray intentionally leaves the argument incomplete because he appreciates that readers who resented the 55 mph limit would be terrified at the prospect of driving on highways with no speed limits at all.

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The public school system is also a fat target, because it is so demonstrably failing to educate children despite a doubling of real, per pupil spending in the last two decades. Murray argues that increasing teacher salaries would do nothing to improve teacher quality and might make it worse. Teachers, it seems, fall into two broad categories, those who want to teach and those who do it for money. The former are better teachers than the latter. If one raises salaries, one gets disproportionate numbers of money-motivated teachers, and average quality goes down. This argument sounds silly, but I think that there is something to it. The problem with it is that it implies that teacher quality would be improved by cutting salaries, a logical implication of Murray's analysis that for obvious reasons he does not advance.

Murray's remedy for educational failure—increased parental choice—is more appealing and more fashionable, but his discussion of the means to that end is flawed. Murray would award parents vouchers or, even better, nonrefundable tax credits and let them decide where their children go to school. He prefers credits, because they would explicitly offset taxes on the meritorious activity of earning income. In fact, credits sufficient to pay for school exceed the taxes paid by tens of millions of households. This disadvantage of credits (from which vouchers do not suffer) is ignored. But the fundamental point—providing parents with increased opportunity to bring pressure on public schools, not just by choosing among public schools, but by selecting other schools—is correct, in my view.

This book should not be read for its discussion of policy in specific areas, however, but for the humane and elegant exposition of the philosophical underpinnings of a conservative view of the proper sphere of government. Murray is at his best in dramatizing the myriad ways in which well-intentioned interventions can produce unintended, but predictable, deleterious effects. Even if one remains less persuaded than Murray that people and the world tend naturally toward beneficent results if left alone and that interventions are fated to fail, many of his cautionary tales are a welcome reminder of pitfalls inherent in government intervention and of the remarkably short-sighted and doomed hubris embodied in too many government interventions.

HENRY J. AARON
The Brookings Institution

Pathways to Power: Selecting Rulers in Pluralist Democracies *edited by Mattei Dogan. Boulder, Colo., Westview Press, 1989. 283 pp. $27.50.*

In his introduction to this useful and stimulating volume, Mattei Dogan tells us that he focuses on the selection of cabinet ministers, who are the "teams of rulers at the summit of the state apparatus" (p. 1). In seven of the ten chapters and in Dogan's Introduction, the authors follow the main emphasis of inquiry. They describe the career pathways into the cabinets of Britain (Donald Searing), France

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(Dogan), India (Richard Sisson), Ireland (John Coakley and Brian Farrell), Italy (Dogan), Japan (Hiromitsu Kataoka), and the United States (Margaret Jane Wyszomirski). The written and, more frequently, unwritten rules that shape cabinet selection are thoughtfully described and the factors of culture, consititution, and political configuration that shape them are suggested.

A relatively high degree of institutionalization characterizes the parliamentary systems. Amid the apparent chaos of party and faction, for example, Dogan discerns eleven widely accepted rules for "How to Become a Cabinet Minister in Italy." While the details of apprenticeships vary, the paths are similarly well defined in Britain, Ireland, and Japan. These ministers come from the parliament and are well-schooled in its ways, despite varying conditions of government control. Searing's account is particularly attractive in providing parliament members' and ministers' own perceptions of the British process, as well as summary data on their chances. In India, on the other hand, Sisson shows that parliamentary experience is of little importance, while administrative experience in state government looms large. Nearly two-thirds of the cabinet ministers were elevated to the cabinet within a year of their first election to Parliament.

In France since 1958 and in the United States neither legislative nor government administrative experience is a necessary condition for cabinet elevation. In these presidency-dominated systems, cabinet selection is more shaped by the shifting needs for policy expertise, personal support, and political alliance of the chief executive himself. Wyszomirski provides a suggestive analysis of a costly shift from coalition considerations to efforts at bureaucratic management in American cabinet recruitment.

The other three essays diverge from the main focus, yet are perhaps of greater theoretical interest. C. Fred Alford describes the mobilization of most of the citizenry into administrative roles by lot in ancient Athens. He contrasts this mass participation with the pessimistic analysis of Robert Michels's "Iron Law of Oligarchy." Donald Matthews elegantly illustrates the suggestive power of a binary comparison of two rather different systems. To compare the recruitment of chief executives in the United States and Norway he develops a broad four-part typology of recruitment structures – apprenticeship, leader(s) choice, bargaining, and populist choice. His analysis of the consequences of each type is very suggestive for future lines of comparative research.

Dogan's concluding chapter makes an important effort to suggest and measure aspects of cabinet recruitment analysis that might be relevant to the general performance of the political system. He explicitly rejects the idea that turnover of cabinets must be a problem for democratic regimes. Briefly comparing twelve systems (nine of them pre-World War II) with high government turnover, he distinguishes within them sharp differences in the presence or absence of a core of ministers holding offices over a substantial time period. Only in the four cases "where ministerial instability was not compensated for by the existence of a ministerial core" did the regimes collapse "in the absence of external war, global

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depression or invasion" (p. 267). It is this more fundamental instability, Dogan suggests, that we should see as the threat to democratic regimes.

G. BINGHAM POWELL, JR.
University of Rochester

Democracy Without Citizens: Media and the Decay of American Politics *by Robert M. Entman. New York, Oxford University Press, 1989. 232 pp. $22.50.*

In *Democracy Without Citizens* Robert Entman argues that citizens, journalists, and politicians are caught in a "vicious circle of interdependence" (p. 17) that has dire consequences for democratic politics. Economic and political markets within which the mass media operate ensure that citizens remain politically unsophisticated, that political elites turn to demagoguery, and that journalists are unable to provide the quality of reporting necessary in a working democracy. By book's end Entman has not only woven logic, normative theory, and empirical evidence into a convincing case for this argument, but has made a significant contribution to the study of media and politics in the process.

The book is divided into two sections, the first of which defines the media's influence in American politics. Chapter One argues that economic forces, coupled with a politically unsophisticated public, lead journalists to respond to the "demand" for "relatively superficial, diverting, or entertaining news" (p. 18). Economic pressures also increase the media's dependence on easy, safe sources of news—most often "legitimate" political elites. However, these elites have their own agendas and so vie with journalists in an ongoing political struggle for control of the news. While political elites are usually at an advantage in this struggle, in the long run, neither party is free to behave as it would like, nor as normative democratic theory says it should.

In the remainder of Part I, Entman demonstrates several consequences of this "vicious circle." In Chapter Two he persuasively argues that journalists' commitment to objectivity results ironically and inevitably in slanted news. In Chapter Three he examines this thesis more specifically by contrasting press coverage of comparable events during the Carter and Reagan administrations. And in Chapter Four, Entman provides evidence that media editorials and news slant can affect public opinion in some significant ways.

In Part II, Entman turns from a critique of the media to an examination of ways in which journalism might be improved. Much of this discussion and analysis is aimed at debunking commonly held views on media reform. In Chapter Five he provides evidence suggesting that a competitive economic marketplace among newspapers can shrink, rather than expand, the marketplace of ideas. Chapter Six provides a similar analysis and conclusion concerning recent attempts to deregulate the broadcast media. Finally, in Chapter Seven Entman presents his

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own recommendations for media reform, including augmented public broadcasting that is financially competitive with the networks and insulated from political manipulation, and the creation of national news organizations (print and electronic) run by major political parties and subsidized by the government.

Entman's analysis of the political economy of journalism would have benefited from a more explicit distinction between the effects of private ownership and those of centralization. His recommended reforms make clear that by discounting competitive markets he does not mean to support a media environment dominated by privately-owned monopolies. And yet centralized information — whether government, party, or privately controlled — raises concerns in a democracy that, while not avoided by the presence of competitive private markets, are also not resolved by their absence.

Nonetheless, *Democracy Without Citizens* is an important addition to research on media and politics at several levels. Entman's theory of the often perverse interaction among journalists, political elites, and the public provides a sophisticated model for understanding how citizens can be so uninformed amid so much information, how so powerful an institution as the press can be so inept at holding government accountable, and how the press can cling so strongly to notions of objectivity, yet provide news that is often both clearly biased and ideologically incoherent.

Equally as important as the theory and evidence presented in this book is the contribution it makes to the general study of media and politics. Entman is aware that many of the shortcomings of the press in America also apply in somewhat different ways to the mainstream study of media and politics. By combining strong normative assertions with careful, convincing logic and evidence; by using a creative, multimethod research design tailored to the particular issue being raised; by remaining committed to empirical analysis yet cognizant that "[i]n studying the news media, genuine empirical accuracy demands going beyond the numbers to qualitative data and informed speculation" (p. viii); and by avoiding reductionist tendencies by considering the media not only in terms of their effect on individuals, but also in terms of their institutional, political, and economic contexts, Entman provides a useful model for how one should study so omnipresent a phenomena as the mass media.

MICHAEL X. DELLI CARPINI
Barnard College, Columbia University

At the Margins: Presidential Leadership of Congress *by George C. Edwards III. New Haven, Yale University Press, 1989. 238 pp. $24.00.*

This is George Edwards's most ambitious and successful attempt to measure presidential effectiveness in Congress. His primary objective is to evaluate presidential persuasiveness in Congress and, ultimately, presidential power. He is interested

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in the capacity of presidents to lead. Can they direct change, establish their own policy goals, and mobilize governing coalitions to achieve them? Or are they restricted in normal times to facilitating change, sharpening and refining already salient policy issues, and affecting coalitional support only at the fringes?

To answer this question Edwards tries to determine which contemporary presidents have been more successful with Congress and why. He uses presidential support scores to indicate the level of presidential effectiveness in Congress. However, he refines the scores. Responding to the often-voiced criticism that support scores weigh all roll calls equally, that they contain lopsided votes, and that they frequently also include several roll calls on a single issue, he develops four separate measures of presidential support: first, *overall support*, which includes all the votes on which the president has taken a position; second, *nonunanimous support*, which includes all roll calls in which the winning side has less than 80 percent; third, *single vote support*, which tallies the most important, nonunanimous vote on each bill; and fourth, *key vote support*, which measures only those roll calls judged to be key by *Congressional Quarterly*. It is interesting to note that these different indexes show remarkable consistency in terms of the level of support the president received. Edwards calculates the support each member of Congress gave the president in each year from 1953 to 1986—a total of 72,000 separate scores. The advantage of calculating support scores for individual members is that they can be aggregated for any group and time period desired.

Having established levels of support, Edwards then attempts to explain variation among presidents. Why were certain presidents more effective than others? Was it a consequence of their legislative skills, their popularity, or the partisan advantage they enjoyed in Congress? Edwards concludes that party and popularity have been important resources for presidential success, but legislative skills have been less significant most of the time. He cautions his readers to be wary of the conventional wisdom that a president's personal skills are the critical factor in influencing Congress.

At the Margins is a significant, quantitative analysis of presidential-congressional relations. It presents much evidence and argumentation against overpersonalizing explanations of presidential influence. Edwards sees environmental factors such as party and popularity as more important. While I do not disagree with this conclusion, I think the methodology Edwards uses has inspired it. Simply put, personal skills are not likely to stand out in an aggregate analysis of support scores.

A normative conclusion follows from Edwards's empirical finding. It too may be subject to some debate. If presidents can only or primarily be effective at the margins, then they should be judged in large part on how they deal with the environment they inherit (how they facilitate) rather than with the policy they achieve (how they direct change). To the extent that this provides a cop-out for presidents, I have problems with it; to the extent that it provides a realistic corrective to contemporary expectations, I concur.

We must remember, however, that in a democracy leaders should always be held accountable for their actions or inactions. They must be judged on the basis of

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how their performances compare to their promises. In addition, people will inevitably judge them on the basis of conditions, even though those conditions may not be of their creation or easily subject to their influence. It is here that Edwards offers his caution, one which the American electorate will probably ignore unless, of course, they have read his book. It is an excellent study, must reading for presidency and Congress students, a major contribution to the literature.

STEPHEN J. WAYNE
Georgetown University

Presidential Influence and the Administrative State *by Richard W. Waterman. Knoxville, The University of Tennessee Press, 1989. 257 pp. Cloth, $37.95; paper, $18.95.*

Richard Waterman's thesis is that in dealing with the bureaucracy the president is best served by a strategy of subtle manipulation. The foil for his argument is Richard Nathan's administrative presidency—the prescription that chief executives should rely heavily on appointment, removal, reorganization, budgeting, and other legal prerogatives to establish hierarchical control over the bureaucracy and thus promote their policy agendas. The author argues that the fragmentation of authority and influence inherent in the Constitution and in the realities of interest-group politics and bureaucratic power counsel reliance on approaches that are less obtrusive and inflammatory than direct command and control.

The book centers on case studies of the relationships between Richard Nixon and the Department of Housing and Urban Development (HUD), Jimmy Carter and the Interstate Commerce Commission (ICC), and Ronald Reagan and the Environmental Protection Agency (EPA) and the Nuclear Regulatory Commission (NRC). Waterman uses these as the bases for a variety of propositions about the strategies presidents should pursue in effectively influencing administrative and legislative policy via the bureaucracy. For example, the largely unsuccessful efforts by Nixon and Reagan to reshape policy at HUD and EPA, respectively, illustrate the limitation of excessive and insensitive reliance on formal institutional controls. At HUD (and other agencies) Nixon's attempts at reorganization, budgetary cuts and impoundment, and the removal of resistant bureaucrats were all eventually countered strongly by Congress. At EPA, Reagan's efforts to emasculate important rulemaking and enforcement programs through the appointment of zealous conservatives, reorganization, funding reductions, and central clearance were likewise frustrated in large degree by environmental interests acting through Congress and the courts.

Only the analysis of Carter's efforts to deregulate trucking through the ICC reveals a substantial measure of presidental success. As such, it provides revealing contrast with the other studies. Waterman observes that, unlike Anne Burford, Rita Lavelle, and other early Reagan appointees at EPA, Carter's political executives at the ICC and the Department of Transportation were highly respected, rea-

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sonable, and both technically and politically competent. The success of trucking deregulation was due in part to their willingness to compromise and their ability to work effectively within the bureaucracy rather than against it. Waterman argues that Carter's success at the ICC was also due to the fact that he had a definite and intellectually coherent idea of what he wanted to accomplish. In contrast, Nixon's initial failures at HUD stemmed partly from the lack of clear domestic policy goals early in his presidency. This explains the appointment of the ideologically incompatible George Romney as HUD secretary, for instance. Similarly, the Reagan administration's abstract desire to promote nuclear power was hindered by the political need to consider environmental and safety interests.

In each of the studies, factors other than presidential strategy had important effects on policy outcomes. For example, one might just as easily attribute Carter's success with the ICC to the fact that deregulation was an idea whose time had come. By the same token, presidential failures in the other areas were obviously conditioned by forces other than executive-bureaucratic relations (such as the political repercussions of Watergate and Three Mile Island). Yet if the failure to address these competing hypotheses in a definitive way is a weakness, it is one that must typically be weighed against the analytical benefits of case histories. To his credit, Waterman gives ample attention to important external influences and their interrelationships with presidential strategies. For example, it is clear from his analysis that Reagan's insensitive approach at EPA only served to strengthen the hand of environmentalists.

I did find several weaknesses in the book. The idea that a president must be willing to persuade and bargain and compromise to deal effectively with the bureaucracy is hardly a revelation; many scholars have examined various dimensions of shared power within the administrative process. A point that Waterman seems to gloss over in his eagerness to extend Richard Neustadt's thesis to the bureaucracy is that Neustadt himself gives significant attention to key aspects of presidential-administrative relations. In addition, the writing and editing are not as good as they might be, and Waterman's discussion of formal institutions sometimes lacks sophistication and accuracy. In the latter regard, for instance, he dates central clearance of agency regulations to Reagan's Executive Order 12498 issued in January 1985. In fact, the evolution of systematic executive review of agency rules began with Nixon, and the most important extension of this trend during the Reagan administration was probably E.O. 12291 issued in January 1981.

Waterman's case studies are informative, however, and his analysis focuses in a fairly comprehensive way on the different tools and strategies presidents can use to influence bureaucracy. One of the book's strengths is that it emphasizes the interdependence among various institutional controls. If the findings are not startling, moreover, they do corroborate and further refine Neustadt's thesis. They also challenge the competing model of centralized control prescribed by Nathan and frequently adopted by recent presidents. As Waterman observes in regards to his central argument: "This point at first seems to be so obvious that it does not even deserve mention. Yet the experiences of the Nixon and Reagan adminis-

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trations suggest otherwise. Presidents in recent years have attempted to centralize greater control over the bureaucracy as a means of increasing their influence, but rather than working with the bureaucracy, they have tried to work against it" (p. 170). On the whole, *Presidential Influence and the Administrative State* is a worthwhile contribution to the study of American government.

WILLIAM F. WEST
Texas A&M University

Belief Systems and Decision Making in the Mayaguez Crisis *by Christopher John Lamb. Gainesville, University Presses of Florida, 1989. 328 pp. $22.50.*

The *Mayaguez* crisis began on 12 May 1975 with the seizure of an American merchant ship by a Cambodian gunboat. The Ford administration responded quickly; within two days, Marines attacked the Cambodian island of Tang to recapture the *Mayaguez* (which they did) and rescue the forty-man crew (an impossible task, given that they had already been moved to the mainland). In addition to the invasion of Tang—a risky mission that yielded twenty-eight casualties and could have produced many more—American planes bombed the Cambodian coast. From an American perspective, the crisis was successfully resolved: the crew was released unharmed and the United States had reasserted its strength in the wake of Vietnam. The *Mayaguez* crisis is an interesting story, and Lamb tells it well. But carefully documenting the crisis is not Lamb's primary goal; explaining the Ford administration's response to the provocation is.

Political observers have had no problems generating retrospective explanations. Proposed motives include saving the lives of the crew, flexing American military muscle, preventing a repetition of the prolonged *Pueblo* hostage negotiations, and mobilizing Republican hardliners behind Gerald Ford's bid for the GOP presidential nomination. Other observers believe the military response resulted from misperceptions of Cambodian intentions and the erroneous belief that North Korea was contemplating an invasion of South Korea and needed to be deterred.

The bulk of Lamb's book consists of sorting through documentary and interview evidence to find the primary motive underlying the military response. He eliminates some explanatory contenders quickly; Ford was not swayed by domestic political calculation, and American policy makers had good reasons to be nervous about Cambodian and North Korean intentions. And although Ford and his advisers—Henry Kissinger, James Schlesinger, and Brent Scowcroft—wanted to prevent protracted hostage negotiations, the *Pueblo* analogy did not play a prominent role in the decision-making process. Similarly, although there was concern for the crew, their safety did not require an immediate military initiative. In fact, the attack on Tang may have placed their lives (and those of the Marines) in jeopardy. In short, the preponderance of the evidence pointed to one dominant motive: the view shared by the four key decision makers that "deteriorating American

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prestige and credibility were threatening developments that had to be arrested" (p. 241) lest the domino theory become a self-fulfilling prophecy. Months earlier, Kissinger virtually predicted the American military response when he observed that "The U.S. must carry out some act somewhere in the world which shows its determination to continue to be a world power" (p. 72). Southeast Asia was the place, bombing Cambodia was the act, and restoring American prestige was the motive. To paraphrase McGeorge Bundy, *Mayaguezes* are like streetcars; if you are patient, one is bound to come along.

The best chapter is the last. Lamb argues that hostage situations always present decision makers with a trade-off between concern for the hostages and the need to deter future provocations. Not surprisingly, given how people loathe trade-offs, decision makers try to dodge this painful choice. Some convince themselves that bargaining with hostage takers will protect the captives without seriously damaging national reputation (for example, Jimmy Carter during most of the Iranian hostage crisis). Others believe a forceful response not only acts as a deterrent but provides the best means to secure the safe release of captives (for example, decision makers in the *Mayaguez* crisis). Such beliefs are psychologically comforting, but often illusory. Lamb's advice succinctly captures the dilemma: "Decision makers need to understand that in a captive crisis they must quickly decide which goal has immediate priority; the lives of the captives or the credibility of the national threat to retaliate when provoked" (p. 272). In summary, Lamb's book is an excellent case study, and we believe those interested in crisis decision making in general and the Ford presidency in particular will find it a rich source of both historical information and theoretical insights.

CHARLES B. MCGUIRE AND PHILIP E. TETLOCK
University of California, Berkeley

Escape from Violence: Conflict and the Refugee Crisis in the Developing World *by Aristide R. Zolberg, Astri Suhrke, and Sergio Aguayo. New York, Oxford University Press, 1989. 380 pp. $49.95.*

The modern world is divided into so-called (and would-be) nation states, each having authority over and responsibility for the population of its territory. Many people do not get along well in the state in which they belong, with the result that they choose or are forced to move to another state. When states limit the entry of aliens, as all of them now do, a problem arises for those migrants whose movement is essentially involuntary, because they have been expelled or have fled in fear of death or less severe mistreatment. For these unfortunates, a special category has been devised: they are refugees, with a claim for asylum that puts them ahead of ordinary migrants in the queue for admission and for special assistance from the state to which they go and from the organized society of states.

While it has been customary to regard refugee flows as occasional problems

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that can be liquidated by temporary measures, it is now clear that the existence of considerable numbers of refugees is a permanent feature of the states system—not only in the sense that successive waves of refugees are to be expected, but also in the sense that some bodies of refugees seem doomed to persist indefinitely in that abnormal and unhappy status. This volume offers a detailed and expert examination of important aspects of the refugee phenomenon in today's world. It is broad without being comprehensive; the three authors focus on the developing world and exploit their area specializations in case studies of refugee-producing situations in Africa, Asia, and Latin America. Some attention, without elaborate analysis, is given to the Middle East, but the European world and its extensions are virtually ignored as sources of refugees. This limitation of scope is justified by the fact that the developing world is now the scene of the most massive refugee flows. The authors give relatively little attention to the ultimate treatment and disposition of refugees. This is not a book on the agencies and programs designed to deal with refugeess, or on such activities as their care and feeding, arrangements for repatriation, or assistance in resettlement. Instead, it concentrates on analysis of the circumstances and conflicts that generate refugee flows and on the problem of defining refugee status. The emphasis, in short, is on *who* is a refugee and *why* he or she becomes one.

Which migrants deserve the special status and assistance accorded to refugees? International agencies undertake to make persecution, actual or anticipated, the key component of the definition of refugee. Zolberg and his collaborators generally agree, asserting that "the central ranking principle must be the immediacy and degree of life-threatening violence" (p. 270). Difficult questions arise when we consider broadening the category of refugee. What about those who are not singled out for persecution but flee from the dangers indiscriminately imposed upon a population by revolution, civil war, and the like? In the view of the authors, these victims should enjoy the same status as the targets of violence. What about those who flee from abject poverty, perhaps even from the justified fear of starvation? The authors resist the wholesale inclusion of economically-motivated migrants, lest the distinction between refugees and other migrants be utterly lost and the "triage" operation of asylum policy become meaningless. They resort, however, to the concept of structural violence to intimate that some varieties of economic deprivation may justify acknowledgment of refugee status. The case for this view is clear when it can be demonstrated that government engages in or tolerates the withholding of economic sustenance; to deliberately starve someone to death is equivalent to shooting him. It is not so clear when the metaphor of violence is stretched to cover the poverty of a general population, even though one might argue that the prevailing economic system is at fault. The authors waffle about observing this distinction. Their sympathy for those who flee from wretched poverty makes them irresolute about excluding them from the category of refugees.

Humanitarian concern for those who feel compelled to leave their homelands, including those who do not and perhaps should not qualify as refugees, informs this book. But the authors are not sentimentalists. They remind us that there are

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some things worse than becoming a refugee – not being able to escape one's persecutor, for instance. They note that the flow of refugees is a virtually inevitable concomitant of revolution, and insist that some revolutions are worth that cost; they would not suspend social change to avoid creating refugees. They emphasize the political as well as the moral and humanitarian aspects of the refugee phenomenon. Asylum policy, including the definition of refugee, is always somewhat colored by political considerations. To acknowledge and accept refugees from a state is in some sense to condemn the government of that state and to express support for its domestic opposition. The authors indicate that refugees may not be merely the passive objects of political activity, but they may be or become protagonists in political struggles affecting their countries of origin. In some cases, refugee-warriors continue from abroad the battles from which they earlier fled.

Refugees are created by profound problems within states. They have severe problems as a result of their displacement. They pose great problems for the states to which they move and for the society of states that assume some responsibility for their welfare. This book makes a valuable contribution to our understanding of all of these problems.

INIS L. CLAUDE, JR.
University of Virginia

The Ideology of State Terror: Economic Doctrine and Political Repression in Argentina and Peru *by David Pion-Berlin. Boulder, Colo., Lynne Rienner Publishers, 1989. 227 pp. $32.00.*

In his introduction the author reveals, "The purpose of this book is to elevate state terror to a topic deserving serious inquiry in its own right, and more specifically to reveal the motivations behind use" (p. 3). Focusing on two Latin American experiences, he sets out to demonstrate that "political repression . . . has often been an outgrowth of intellectual predispositions, and not a reaction to dissent . . . . The intellectual foundations for the use of coercion can be found in the monetarist models applied in many Latin American countries" (pp. 9–10).

The book is divided into four parts. In Part 1, Pion-Berlin discusses the two contending economic theories widely applied in Latin America since the 1950s – structuralism and monetarism. He also examines the Third World countries' increasing reliance on the International Monetary Fund's (IMF) resources during this period and provides persuasive reasons why the IMF's austerity programs might have become so appealing to Latin American elites. He concludes that, confronted with demands from organized labor, the emphasis on laissez-faire and deficit-reduction leads to "a greater probability that monetarist-minded regimes would resort to political repression than would those guided by structuralist critiques" (p. 42).

Parts 2 and 3 review the alternative application of structuralist and monetarist

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recipes in Argentina after 1955 and in Peru after 1956. The analysis centers on the military government of 1976–1983 in Argentina and the phase after 1975 of the 1968–1980 military government in Peru. Using a "repression score" constructed on the basis of an annual index of measures against labor organizations and activists (which is described in an appendix), the author attempts to prove the affinity between monetarist ideology and the resort to state terror. In Part 4 Pion-Berlin brings both cases together. He argues that although in both countries the resort to the IMF and the implementation of an orthodox stabilization program resulted in political repression of the labor force, "Argentine state terror was greater" (p. 178) for two reasons. First, while monetarism in Argentina was applied following the ouster of Isabel Peron by a military *junta*, in Peru General Morales Bermudez had at least to pay lip service to the progressive ideology that had inspired the government of his predecessor, General Velasco Alvarado. Second, the Argentine labor movement has historically been stronger than its Peruvian counterpart.

The argument might be flawed by "the author's concern with repression of labor, not with the population in general" (p. 200). According to the National Commission on the Disappearance of Persons, 30.2 percent of the victims of the "Dirty War" in Argentina are classified as workers, and 17.9 percent as employees. Though it seems logical to assume that state terror was applied so that a monetarist program could be implemented, it is also plausible to wonder whether the Dirty War was a reaction to the activities of guerrilla groups, as well as to the extent of politicization and contestation reached during the 1973–1976 Peronist governments, not only within the labor movement but also in educational and artistic circles. The fact that under General Ongania's 1966–1970 government monetarism was applied while repression declined would warrant a closer look at this alternative hypothesis.

One must also take issue with the author's use of "state terror," "political repression," and "coercion" as synonyms. Though these terms are never defined, no one would argue with the characterization of the Dirty War as a case of state terror. Whether the term could be used to describe what happened in Peru after 1975 is highly debatable. That the Peruvian military attempted to curb labor militancy, particularly in the key unions of mine workers and teachers, is amply demonstrated. But the use of random violence and the methodology of disappearances—two elements guaranteed to provide the lasting changes in social behaviour commonly associated with regimes of terror—seem to have been by and large absent.

MARIA JOSE MOYANO
Yale University

Entrepreneurs and Politics in Twentieth-Century Mexico *by Roderick A. Camp. New York, Oxford University Press, 1989. 306 pp. $35.00.*

This book presents a vast quantity of new data on Mexican entrepreneurs culled from interviews and biographical data. For those interested in the political role

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of the Mexican private sector, it is an important book that is significantly more ambitious than many others on this topic.

The book makes a strong empirical contribution. It's goals are to illuminate the role of noneconomic variables, such as elite attitudes, historical experiences, traditional roles, and the attitudes of entrepreneurs and politicians in shaping government/private-sector relations in Mexico. It accomplishes this and more. Camp presents interview data on the self-image of entrepreneurs that suggests that the Mexican private sector suffers from an inferiority complex. This self-image becomes a self-fulfilling prophecy, which the author argues limits the private sector's political influence. He also compares the values of entrepreneurs and politicians, suggesting that there are great differences between the two groups. This is taken as evidence that power elite theories are not valid in the Mexican case.

Camp also presents data on place of origin, parents' socioeconomic background, level and location of education, and type of entrepreneurial career for roughly 200 Mexican entrepreneurs. One of the main conclusions drawn from this data is that there is little chance for upward mobility in the Mexican entrepreneurial class. From data on the exchange of personnel between the public and private sectors Camp concludes that it is relatively low in comparison with the United States and has not increased in recent years, contrary to popular belief. The chapter on the role of entrepreneurs in government policy making suggests that they had considerable confidence in their influence prior to the 1980s. The author quotes former high-level government officials such as Hugo Margain and Antonio Ortiz Mena, who confirm that this was true. Since 1980, however, entrepreneurs believe that they are losing ground in shaping government policy toward labor. Analysis of the leadership of private sector business organizations suggests that members of Mexico's largest leading business families are not represented. Regarding indirect control of these organizations, the author notes that there are two views within the private sector—one that the business organizations do not represent the interests of large firms, and a second that they do. He includes extremely hard to find data on membership of the exclusive Comité Mexicano de Hombres de Negocio. The book also presents valuable new data on interlocking directorates in Mexico, which confirm the important role that conglomerates and family-held corporations play in the Mexican private sector. The author concludes that the cohesiveness of the upper echelons of the Mexican private sector is a source of both strength (negotiation from a unified position) and weakness (generation of resentment from small and medium-sized entrepreneurs).

Theoretically, Camp sets out to do several things. One is to confirm the view of the Mexican state as relatively autonomous. He asks, "If the state acts autonomously, in whose interest does it act?" He answers, partially confirming pluralist interest group theory, that the private sector is only one of several groups influencing the state. Yet, if anything, the book presents evidence, contradicting this position, that entrepreneurs believed they had the strongest influence of any interest group over policy making prior to 1980 and that government officials confirmed this was the case. Another theoretical task is to argue that personal values and atti-

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tudes play an important role in explaining group—in this case, private sector—behavior. Much data is presented, but the research project is not designed to allow one to weigh the role of attitudes and values against competing factors such as economic interests. In fact, the role of corporate size is mentioned as one of at least six variables shaping government-private sector relations. (The others are historical role of the private sector, legitimacy of private vs. public sector interests, values learned through family and education, social origins of public and private-sector leaders, career experiences of both, and organized interest groups). Corporate size also explains divisions within the business sector. Among the many theoretically significant findings of the book is that business-government relations vary by business subsector, with bankers having the closest relationship. Yet the theoretical ramifications of this are not developed in depth.

SYLVIA MAXFIELD
Yale University

Campaigning in America: A History of Election Practices *by Robert J. Dinkin. New York, Greenwood Press, 1989. 243 pp. $39.95.*

This volume is a useful popular summary of election campaigning over the course of American history and might appropriately be ordered by high school and public libraries. As a scholarly work, however, it provides no substantial original contribution and would be of limited use in college courses. Dinkin provides a descriptive account of election contests, divided into chronological chapters. He writes of the colonial period, the first and second party systems, the "golden age of parties" (1854–1888), the "merchandising" era (1892–1948), and the contemporary mass media age. Most of the chapters follow the same format, successively describing campaign innovations, the use of print and other media, campaign organization, finance, and party coalitions. Each chapter ends with brief accounts of each presidential election in the particular era. Despite the promises of the book's advertisement, almost no attention is given to congressional or state and local campaigns.

While summarizing a large body of secondary literature, Dinkin makes no effort to deal with primary sources or to include modern studies of voting behavior. The inattention to research is particularly troublesome in the contemporary period, where the author relies almost entirely on Theodore White and similar journalistic accounts. Still, readers will find some fascinating tidbits of information. For example, to reduce costs, campaigners in the Jacksonian period often traveled together and shared rooms as they engaged in local debates. Contemporary candidates might be more civil to each other—or at least more intimate—if they returned to this practice.

Political scientists, however, will not find any novel or theoretical insights in this volume. Dinkin does, to be sure, briefly note the most obvious trends in campaigns: changing technology, the impact of a mass electorate, the increasingly public

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character of campaigning, the decline of party organizations. What is lacking is any conceptual framework to generalize from his extensive description. One could build theories, for example, from the imitative behavior of party and candidate organizations, or the character of new technology, or rational choices made by competitive actors. Dinkin simply presents general analyses, rather then examine or compare them; the reader is uncritically offered explanations that may or may not be true. For example, Dinkin writes that in recent elections, "there was more concern about issues than at most times in the past (p. 178). But he also says, "substantive matters often were trivialized or ignored" (p. 165). In other instances, conventional but doubtful wisdom is blandly accepted—for example, Robert Kennedy "seemed headed" for the Democratic nomination in 1968 before his assassination (p. 188).

This book is a modest achievement. Contrary to the publisher's claims, it is not pathbreaking; and it is as much a history of election results as of campaigning. As such, it is comparable to such general accounts of American politics as Wilfred Binkley's minor classic *American Political Parties*, or Eugene Roseboom's work, *A History of Presidential Elections*, but clearly more up-to-date. It lacks the depth of Arthur Schlesinger's *History of American Presidential Elections*.

Every book cannot be innovative, and there is an important role for books to teach our history to more general audiences. As we bewail the recent spate of negative advertising, for example, we can console ourselves in remembering attacks on Jefferson as an atheist, Jackson as an adulterer, John Quincy Adams as a pimp, Franklin Roosevelt as a warmonger, and Wendell Willkie as a Nazi sympathizer. From perspective and reflection, we may gain some political wisdom. On his own terms, Dinkin furthers these vital goals of public education.

GERALD M. POMPER
Rutgers University

Issue Evolution: Race and the Transformation of American Politics *by Edward G. Carmines and James A. Stimson. Princeton, N.J., Princeton University Press, 1989. 200 pp. $25.00.*

This book has a powerful and persuasive, but incomplete argument. The authors maintain that the issue of race has slowly transformed the American political system through changes in party platforms, congressional party voting, presidential campaigns, and partisan electoral cleavages. The authors begin their analysis by carefully laying out a theory of issue evolution comparable to the theories on the origin and evolution of species. Chapter I explores models of evolution and relates them to current thinking about partisan realignment. We learn that only a few issues are durable over time with the ability to transform the system.

Chapters II and III explore the evolution of the racial issue within the presidential establishment and Congress. Carefully examining the treatment of the racial

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issue by American Presidents from Franklin D. Roosevelt to Ronald Reagan, the authors demonstrate a gradual but punctuated partisan shift from Republican racial progressivism to racial conservatism. The 1964 Barry Goldwater candidacy for the presidency marked the decline of progressivism within the Republican party and offered an ideological framework for racial conservatism. The authors conclude that 1964 was a critical moment in the partisan evolution of racial issues.

In Chapter III the authors provide a careful analysis of congressional elections and voting patterns on racial issues in both houses of Congress. They show how the defeat of moderate Republicans by conservative Republicans and the election of racially liberal northern Democrats shifted party voting within Congress on racial issues. Democrats became far more liberal than Republicans.

Chapters IV, V, and VI continue tracing the evolution of the racial issue by shifting from elite responses to the racial issue to mass response. Beginning with party activists, attention is focused on how mass publics over time conceptualized the issue of race. Comparing the issue of race with other issues, they conclude that racial issues provided the core for issue consistency and a stable element in the meaning of liberal/conservative beliefs. Chapters VII and VIII offer an overview of the complete model of issue evolution as constructed by the authors.

Even though this work offers a powerful and persuasive argument on how issues affect partisan change, there are several major shortcomings that make it incomplete. First, while the authors trace the evolution of the racial issue over time, very little if any attention is devoted to the substantive content of racial conflict, such as the racial atrocities during the civil rights movement, the emergence of strong black civil rights leaders, the adoption of the 1964 Civil Rights Bill or the 1965 Voting Rights Act. Without paying more attention to these events, it is not clear whether it was the issue of race or the context in which the racial debate was carried out that made for partisan change.

Second and more important, the authors' focus on race undermines the importance of such other issues as the American economy, which may have the same properties as race for transforming the party system. A host of changes such as high unemployment rates in major industries, technological displacement, and foreign competition occurring simultaneously with demands for affirmative action and racial quotas in hiring all could have long-term political consequences.

Despite its shortcomings this book will definitely have an impact on the fields of American voting behavior and black politics, as well as studies of American political institutions. The book is well written and the authors' data analyses are superb and instructive despite the technical detail.

BYRAN O. JACKSON
California State University, Los Angeles

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Listening for the Bomb: A Study in Nuclear Arms Control Verification Policy *by Philip G. Schrag. Boulder, Colo., Westview Press, 1989. 137 pp. Paper, $28.50.*

The United States and the Soviet Union signed the Threshold Test Ban Treaty in 1974. But the treaty was still not ratified in 1986 when the National Resources Defense Council (NRDC), a private group of environmentalists, arranged with the Soviet Academy of Sciences to install and operate seismic monitoring equipment at three locations near each other's principal national nuclear weapons test sites in Nevada and Kazakhstan. The NRDC sought approval for the arrangement from the U.S. government.

U.S. national interests might have led Washington to welcome the exchange, which could help clear up doubts about verification raised by the Reagan administration to justify holding up ratification for its first six years in office. If the experiment lived up to proponents' expectations, it would allow the two sides to calibrate their readings of explosive yield and distinguish test explosions from earthquakes with considerable confidence. And if it did not, the experiment could still provide better data than either side had had about the geological properties of the other's test sites and lend credence to the U.S. contention that seismic monitoring was not adequate to verify the treaty.

Alternatively, if the U.S. interest was to forestall more far-reaching limits on testing, then that interest was best served by preventing the experiment and delaying ratification of the threshold treaty as long as possible.

On one reading of U.S. interests or the other, a clear-cut decision to permit or deny the experiment should have resulted. But, as Philip Schrag persuasively argues in his succinct and accessible study, rational calculation—Model I in Graham Allison's work—could not predict the results. The U.S. government expedited approval of the export license needed to send monitoring equipment to the Soviet Union and granted the land-use permits to set up the three monitoring stations on federal land. But it imposed conditions on visas for the Soviet experts that precluded their travel to the monitoring sites as guests of the NRDC.

Schrag, a law professor who served as deputy general counsel in the Arms Control and Disarmament Agency and legal adviser to the U.S. test ban delegation during the Carter years, does an admirable job of using Allison's Model II to dissect the decision-making process. The NRDC request triggered various organizational routines for processing applications for export licenses, land-use permits, and visas. These routines predisposed the relevant agencies to treat each application on its own as a mere formality amply covered by statute and administrative practice. But if standard operating procedures did limit administrative discretion, they cannot explain the results.

To do that requires an appreciation of the agencies' organizational interests, the central concept of Allison's Model III. But Schrag relaxes the model's assumptions to the point of sapping its explanatory power. In a chapter entitled "Model III: The Human Element," he writes that the bureaucratic politics approach "implies explanations that can be phrased in terms of interpersonal interactions" (p.

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96). He proceeds to do just that, telling a story that pits Assistant Secretary of Defense Richard Perle, ideologically hostile to U.S.–Soviet rapprochement and all arms control, not just a comprehensive test ban, against Deputy Secretary of State John C. Whitehead, a moderate conservative. But Model III, if it is to be more than anecdotal, has to start with organizational interests, state how they should motivate bureaucrats' stands, and see whether or not they do.

A rigorous specification of interests is critical to the analysis, but Schrag seldom provides it. The Commerce Department, for example, consistent with its interest in promoting exports, grants the NRDC's request for a license to ship the seismometers and other equipment to the Soviet Union with unusual dispatch. The Interior Department, consistent with its interest in promoting the private use of public land, absent environmental harm, allows the monitoring stations. The interests of the Department of Defense, acting as surrogate for the armed services and the Department of Energy, are potentially contradictory: to get more information about Soviet tests but avoid a comprehensive test ban. Perle's ideological impulse to block any arms control, including the Threshold Test Ban Treaty and informal cooperation in monitoring tests, zealously went beyond these interests; so he was likely to prevail only if he was attentive, persistent, and powerful. The State Department's interest Schrag characterizes as "negotiating agreements and maintaining good relations with other governments" (p. 96). But State has often been willing to let others take the lead in negotiating arms control agreements—the Arms Control and Disarmament Agency or the White House—and has hardly seen its mission as maintaining good relations with potential adversaries such as the Soviet Union. In this case, its main interest was not an especially important one—to preserve its autonomy and administrative discretion over the granting of visas. These interests account for many, but not all, of the results in the case.

In Model III, bureaucratic context is everything, which makes it all the more surprising that Schrag gives short shrift to the overall strategy of the test ban opponents. Verification, in Perle's words, is a "show stopper" (p. 84). As Frank Gaffney, Perle's deputy and eventual successor, has written, "The more time wasted on discussions and experimentation of monitoring techniques irrelevant to . . . complete prohibition of legal nuclear tests, the easier it will be to stave off demands for the more constraining comprehensive test ban." Even with President George Bush's acceptance in September 1989 of a Soviet compromise proposal that would allow each side to use its preferred method of monitoring and allow the Threshold Test Ban Treaty to be ratified, the strategy of exploiting doubts about verification to delay a comprehensive test ban succeeds to this day.

LEON V. SIGAL
Wesleyan University

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Political Learning in Adulthood: A Sourcebook of Theory and Research *edited by Roberta S. Sigel. Chicago, The University of Chicago Press, 1989. 483 pp. Cloth, $65.00; paper, $19.95.*

In 1959 Herbert Hyman launched socialization as a subfield of political science, and for several years the literature focused on early political learning as the key to later political attitudes and values. The family and school were seen as the primary socialization agents. Roberta Sigel and her collaborators bring together a more recent literature showing that attitudes and behavior change throughout adult life and that a wide variety of environmental forces affect those changes.

Organizationally, the work moves from aspects of the socialization process in which the broader social environment is a relative constant (for example, the maturational and generational effects) through to diverse work and social settings. The book ends with situations in which the broader social environment changes in some basic ways (for example, through social movements, immigration, terrorism, war). Interactionist themes run throughout the various articles. A stable sense of self and certain basic attitudes are seen as providing a continuity to political attitudes and behavior. Environmental changes are shown creating incentives for individual transformations. The nature, direction, and intensity of these incentives and how individuals respond to them is a major concern of the study. Each essay presents an overview of the literature on one particular topic or area of research. Despite the fact that there are eleven authors, one for each substantive chapter, the volume is cohesive and well argued.

In the concluding chapter, Sigel deftly identifies the most promising directions for future research. The goals include an exploration of the relationship between cognition and affect in human adults, as well as the development of schemes for distinguishing those conditions likely to transform attitudes and behavior in ways that change the system. The impact of broader historical developments, including traumatic political events, it is argued, should also receive much more attention than it has in the past.

To explore these topics, Sigel suggests, in-depth longitudinal studies of many individuals are more useful than cross-sectional surveys. Field work, employing ethnographic studies, may be an even more efficient approach. Psychobiographies, as Sigel suggests in passing, have addressed the kinds of questions noted above, though the genre has been neglected by researchers in the socialization field. Systematic and comparative psychobiographies (including studies of "average" people), I would emphasize, should be much more widely employed in the field. They are useful and efficient techniques for the exploration of the complex connections between human attitudes, behavior, and political contexts.

It is rare to come across a book such as this one, with which one has no real intellectual arguments. It is always possible, of course, to find a few minor omissions or errors to note. Given the emphasis in this volume on the need for in-depth and comparative studies, it is surprising that none of the authors discuss Robert Lane's pioneering works along these lines (*Political Ideology*, 1962, *Political*

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Thinking and Consciousness, 1969). Stanley Renshon, in his otherwise excellent discussion on the importance of friends and associates for the adult adaptations of political leaders, fails to mention Elizabeth Marvick's pathbreaking works on this theme. Moreover, his suggestion that Ronald Reagan's anticommunism was triggered by an attempt of communist sympathizers to overtake the Screen Actors Guild (SAG) overlooks many works suggesting that no realistic threat of a takeover actually existed in SAG and that the communist threat to the industry as a whole had been highly exaggerated by those in the anticommunist crusade (G. Wills, *Reagan's America*, 1985; A. Edwards, *Early Reagan*, 1987; S. Hayden, *Wanderer*, 1963; A. Knight, *The Liveliest Art*, 1975). These are minor flaws, however, in a book that will become a must for anyone doing research in the area of political socialization.

BETTY GLAD
University of South Carolina

Regime Politics: Governing Atlanta, 1946–1988 *by Clarence N. Stone. Lawrence, University of Kansas Press, 1989. 376 pp. Cloth, $35.00; paper, $14.95.*

Atlanta is governed by an elite. While one hears echoes of Floyd Hunter, Stone's book provides a new and insightful voice. The historical examination of Atlanta's biracial governing coalition (1946–1988) is an excellent study of the dynamics of assembling, maintaining, and expanding power. This dynamic aspect of governing is captured in the concept of an urban regime—the informal arrangements that are developed to compensate for the weakness in formal authority. Since policy emanates from a regime, composition and structuring mechanisms are highly significant. Through a fine blend of theory and case studies, Stone drives these points home.

Atlanta's governing coalition consists primarily of a white business elite in an uneven partnership with the black middle class. This regime survived the change from a white to black electoral majority, the civil rights movement and student sit-ins of the 1960s, a strong neighborhood movement in the 1970s, the capture of elective office by blacks, and a direct challenge by Maynard Jackson when he was the city's first black mayor. Moreover, it survives a policy orientation that disadvantages poor and working-class blacks, as well as neighborhoods.

The coalition's stability reveals much about the nature of organizations, the relationship between politics and policy, and political control and political change. Internally, the coalition survived by adapting to external change. Policies and practices were adopted that would foster coordination. "Negotiated settlements" and "racial moderation" were the keys to the coalition under Mayor William Hartsfield. When racial tolerance increased, the coalition developed a civic network to foster biracial cooperation. Currently, coalition members are held together by selective incentives, insider privilege, investor prerogative, and encouragement of

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minority contracts. Through an ambitious redevelopment program, which places no restrictions on business (investor perogative), the white business elite is empowered. Black businesses benefit from the contracts they get. Thus, "politics and policy are circular" (p. 164).

The more intriguing question is why did blacks as an electoral majority accept this deal? First, there is a difference between electoral and governing coalitions. Poor and working-class blacks, the heart of the electoral majority, are not part of the governing coalition. Middle-class blacks, however, have gained from the system of negotiated settlements and even more so from selective incentives.

Second, structural realities reinforce the coalition. The fragmentation of capitalist society, which is particularly acute at the local level, advantages groups that can "act cohesively and control a substantial body of resources over time" (p. 230). Typically, this is the investor class. In Atlanta, it monopolizes organizational resources, since the city's associational life is characterized by a large vacuum. This explains why opposition has been both limited and unsuccessful. Groups that do form are dependent on the business class for resources. Hence, the prevalence of the "go along to get along" attitude. Maynard Jackson, who challenged the business class, eventually made peace with it. He could get elected without its support, but he could not govern without it.

The power of the investor class makes it a major player in American cities. However, the scenario is not one of automatic dominance. The more organized a city's associational life is, the greater the chance for concerted action independent of the business elite. Further, a caretaker regime will be less dependent on the business elite than will an activist regime.

Stone uses the regime experience in Atlanta to develop a new model of urban politics—"social production." With its emphasis on coordinating the institutional capacity to govern, this model captures the significance of local political organization and regime type. In closing, Stone encourages "challenge and response" (p. 260). The real challenge is to continue and expand this excellent framework of analysis.

BARBARA FERMAN
Illinois Institute of Technology

The Democratic Imperative *by Gregory A. Fossedal. New York, Basic Books, 1989. 293 pp. $19.95.*

A founding editor of *The Dartmouth Review*, Gregory A. Fossedal has since pursued a career as a conservative publicist, writing especially on diplomatic and defense issues. He is now a research fellow at the Hoover Institute. His intelligence and vigorous style make *The Democratic Imperative* a challenging pronunciamento, although one unlikely to convert "realists," whose cowardly caution Fossedal deplores.

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In the book's first section, Fossedal develops the fashionable argument that the forces of freedom are on a roll; communism and dictatorship are almost everywhere in retreat. He often overstates his case or finds himself overtaken by events since the book was written. In an imaginative list of "Democratic," "Partly Democratic," and "Undemocratic Nations" (p. 245), he includes China in the middle category. His text predicts a fairly smooth progression toward the first; Tiananmen Square and its sequels make this view at least problematic. Perhaps he saw into the future. But it does seem strained to consider Poland, a nation under martial law, "partly democratic" in 1988.

In the second, central section of *The Democratic Imperative*, Fossedal argues, illustrating his point by sometimes tendentious references to recent history, that the process can be speeded by the application of techniques he describes. The only necessity is the will to employ them, something American leaders including Ronald Reagan (who comes off quite badly in this book) have lacked. The United States should campaign for human rights, with special emphasis on conditions in communist nations. It should escalate its propaganda efforts. (Hungary 1956 proves the efficacy of propaganda; although American bungling prevented a victory for freedom, later changes show that "The Hungarian feedom fighters . . . did not die in vain" [p. 102]). Economic sanctions and rewards should be more forcefully employed. (They explain China's progress toward democracy.) Rebels against dictatorial regimes—the contras, for example—should be armed and encouraged without reservation; it will be time enough later to evaluate their democratic bona fides. American officials also should work to establish stable currency exchange rates, free trade, and the rule of law.

An interesting thing about this list of nostrums is that most are comparatively inexpensive and risk-free; Fossedal is no advocate of military crusades, except perhaps when directed at a foe no stronger than Grenada. They can be offered as solutions only because the author assumes that the world is essentially maleable and that in their hearts all peoples yearn to establish systems that replicate our own.

If world events are running our way, and if readily available weapons can easily improve the pace, it is hard to see why Fossedal ends his book with an apocalyptic jeremiad. Conflating communism and all other totalitarian forms, he warns that the world cannot remain "forever suspended on one side or the other of a vast Iron Curtain. . . . Either America will help secure the rights of man for all, everywhere, or America itself, as a free and democratic state, will perish" (pp. 238–39). But that is not the challenge we confront today or are likely to confront in the future. It is highly improbable that even the most energetic American efforts could produce a world in our image or that we will be threatened if we fail to do so. Variety will remain a staple of the international system.

BRADFORD PERKINS
University of Michigan

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Feminism and Politics: A Comparative Perspective *by Joyce Gelb. Berkeley, University of California Press, 1989. 267 pp. $30.00.*

Joyce Gelb offers a thought-provoking analysis of the different directions that feminism has taken in three western democracies—Sweden, the United Kingdom, and the United States. She focuses on those external factors unique to each that help explain the different paths and their differential effectiveness in influencing policy formulation and implementation. Among the external factors she examines are structural ones, such as the party systems, the bureaucracies and their relative openness to outside pressures, the trade unions and their receptiveness to feminist demands, to name a few. She also pays attention to the important ways in which each nation's cultural tradition, especially its norms for proper gender roles, help shape the character of feminism and the feminist movement.

The book's main thesis is that "gender-based women's groups that are separate from institutionalized interests such as parties and unions are more likely to develop independent strategies and political agendas of their own choosing, thus permitting greater political impact . . . " (p. 2). Such autonomous groups are in a strategic position, she asserts, "to play a major role in the achievement of social change" (p. 2). It is Gelb's contention that of the three, the United States feminist movement most nearly meets that model and consequently has had the most impact in effecting social and political change. She attributes this to the prevailing opportunity structure, but also to women's resourcefulness in availing themselves of it. Organizing themselves as independent mass-based groups, they have made use of all the various pressure tactics likely to yield results, from protests to lobbying to litigation.

The reader may not always be quite as sanguine as Gelb about the magnitude of the change wrought by the U.S. women's movement. She, nonetheless, does make a convincing case that both in the UK and Sweden, feminist impact on society leaves much to be desired. Sweden's corporatist structure and its cultural tradition of consensus building have caused feminists to avoid confrontational tactics. Gender-based activism is rare. "In the main, feminism was incorporated into the structure of political parties . . . " (p.146). It left women quite isolated "from positions of power at almost every level of society" (p. 159). In England, by contrast, women have eschewed the mass-movement path and formed small groups that at times were antagonistic to each other on ideological grounds. Sweden and the UK, though different in other aspects, share quite traditional views of gender relations and patterns of interaction, thereby further impeding the likelihood of major social change in the near future.

The main sources for the book are lengthy interviews with about 200 feminist scholars and activists, as well as women in appointed and elected political positions. Gelb makes no claim that these women constitute a representative sample, and she acknowledges that the sample reflects an urban, large city bias, necessitated in part by her interest in national rather than local policy making. This reviewer shares with her some concern about "the hazards in making international com-

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parisons based on data that are often collected in different ways" (p. 226). It would seem that these hazards have, unfortunately, been magnified in her study.

This slender volume suffers from a fair amount of repetitiveness, especially in its many conclusions, but offers much valuable insight into why feminism has taken such different shapes in three modern democracies, all of which ostensibly subscribe to the notion of equality. Moreover, the lessons to be learned from it have applicability well beyond the feminist movement. Gelb's lucid and coherent exposition shows how much any social movement's chances for effecting major social change are dependent on the character of the sociopolitical system in which it has to operate. As such, the book makes a fine contribution to the comparative literature.

ROBERTA S. SIGEL
Rutgers University

The Ecology of City Policymaking *by Robert J. Waste. New York, Oxford University Press, 1989. 219 pp. Cloth, $32.00; paper, $15.95.*

By page 14 of this book we have already been introduced to ten elements in the ecology of urban policy making, a nine-part policy cycle, five types of issues, five types of policy politics, at least six types of policies, and three (or perhaps four) "ingredients" of policy. Nothing that comes later on dispels the initial impression that this is a veritable academic *Book of Lists*. Robert Waste sets out, he says, to provide a clear, easily readable map of the urban policy making process. He has certainly produced a map — indeed, many maps, each of exceeding complexity. But whether they help in the navigational task is not exactly clear.

The argument is simple enough in its outline form: city policy making everywhere in the United States proceeds through a common life cycle that begins with the shift of a potential issue from an "urban condition" (Edward C. Banfield's term) to a problem. The cycle continues through policy formulation, enactment, implementation, impact, feedback, evaluation, and more feedback. These various stages are affected by no fewer than ten (and only ten?) "ecological" variables, including such factors as the age of the city, types of policies at tissue, types of conflict, political culture, the presence or absence of reform efforts, and exogenous forces such as the nature of intergovernmental relations.

Since the ecological factors differ from city to city, they help us to understand variations in the policy process from city to city, including levels of public involvement in policy making, differences in the vulnerability of local politics to outside forces, what triggers issues in some cities but not others, and the weaknesses of mayors-as-crusaders. The impact of particular ecological factors or congeries of them is illustrated through a large number of short case studies of such issues as the implementation of comparable worth in San Jose and Los Angeles, the deci-

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sion to forcibly shelter homeless people in cold weather in New York, zoning to protect canyon land in San Diego, and many others.

The relative simplicity of the argument is deceptive: what Waste has tried to do is effect a grand synthesis of existing models and typologies in the field. He sets his ecological categories in the context of the policy-making models of Bryan Jones and Ripley and Franklin; the policy typologies of Lowi, Peterson, and James Q. Wilson; Coleman's stages of community conflict; Yates's typology of mayoral styles; Downs's life cycle of public agencies; and Bernstein's clientele-capture model. Most of these are modified to fit Waste's specifications.

The result that emerges from this welter of names and amalgam of typologies is, as one might guess, an extremely unwieldy model of urban policy making. Waste makes no attempt to weight his various ecological variables, nor does he try to derive any systematic propositions. Indeed, his treatment of the variables seems unbalanced. He devotes the better part of a whole chapter to a variable he specifies at one point as the growth orientation of the city council, but which is treated at another point as the age of the city council. However it is understood, the case for such substantial treatment is not readily apparent. Then Waste loses steam at the end; he gives extremely short shrift to what might be considered fairly important factors, such as local political culture, the personality of public officials, and exogenous factors. Curiously, he does not include national and international economic forces, which might be the most important ecological factors of all.

The chief conclusion of this exercise is that the impact of so many different ecological factors reveals the "fragility" (the term is not carefully defined) of urban policy making. Subjected to a multiplicity of external influences and internal limitations, the city policy process is weakened to the point that cities are limited in their ability to solve problems. In the end it is not clear that the policy map that Waste has constructed has provided us either a useful synthesis or a novel understanding of city politics.

PETER EISINGER
University of Wisconsin

Biting the Hand That Feeds Them: Organizing Women at the Grass Roots Level *by Jacqueline Pope. New York, Praeger, 1989. 161 pp. $39.95.*

It is difficult to believe that over two decades separate us from the ferment of the 1960s. The impact of the Reagan revolution and the nation's turn to the right, the shift from optimism to pessimism, from expectation to cynicism has been rapid and pervasive and for many, painful. Given the perspective of the 1980s, the 1960s look more successful, having experimented with a number of governmental innovations – the broadening of citizen participation; breaking bureaucratic power by decentralization; creating more grassroots systems; and involving the poor in public policies related to education, health, and welfare.

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Jacqueline Pope recounts the 1967 experiences of a grassroots cooperative, The Brooklyn Welfare Action Council (B-WAC), by a group of young black women on public assistance, including the author. The B-WAC eventually joined the nationwide effort under George Wiley of the National Welfare Rights Organization. The story is a short one, a personal sketch of Pope's experiences with some attempt to introduce analysis. While perhaps weak on analysis, it serves as a very useful account of an important adventure to improve the quality of life of welfare recipients. These young women organized themselves to extend the welfare roll to those unaware of their right to assistance, and to broaden the character of welfare services beyond the more narrow limits of hand-outs. They won a fair amount of rights for their efforts: they ended the unannounced searches at client homes; they won more dignified treatment at welfare offices; they helped eliminate the lengthy and complex forms; they succeeded in having fair hearings for their appeals; and they pressed for simplification of rules and regulations. In addition, the author claims that through their self-help efforts, the poor learned the skills of organization, action strategies, how to manage the welfare bureaucratic maze, and techniques for advocating one's own case.

The B-WAC along with the National Welfare Rights Organization was strongly influenced by the writings of Richard Cloward and Frances Piven, who urged that by overloading the welfare system it would eventually collapse and force replacement with a national income plan. The author questions this thesis, which strongly advocates taking the welfare struggle to the streets and the utilization of disruptive tactics. Pope explains that the issue between mobilization (Cloward/Piven) and organization (which Pope supports) provided the key to the differences among the welfare participants and their leaders. She believes that disenfranchised people should be informed about the political process and how it relates to their social and economic conditions. "It is politically and morally imperative that they know why they must demonstrate. Lack of political awareness leaves poor people unprotected against demagogues" (p. 95). Proudly, the writer notes the fact that these welfare women organized to improve their lives on their own. But sadly, they received little recognition in the media or among feminists or even the civil rights organizations. Without prominent supporters, aside from the Catholic Church workers, the life of this grassroots effort was relatively short.

JEWEL BELLUSH
Hunter College, City University of New York

The Struggle for Black Empowerment in New York City: Beyond the Politics of Pigmentation *by Charles Green and Basil Wilson. New York, Praeger, 1989. 183 pp. $39.95.*

The increasing power of black citizens in the the politics of the nation's cities has been among the more dramatic changes in urban affairs during recent years.

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Indeed, since the early 1970s most major American cities have witnessed the changing of the guard from white to black administrations, heralding a new political era in city politics. Yet there are few studies that have examined the dynamic of this process of empowerment or probed the political character of the minority communities who are driving this urban transformation. In particular, the goals, the leadership, the internal conflicts, and other qualities of this new black politics remain somewhat sketchy to most outsiders.

Charles Wilson and Basil Green attempt to provide some answers by examining the politics of black empowerment in New York City, where David Dinkins recently won election as the city's first black mayor. The authors take a broad view of their subject, drawing upon historical, sociological, ethnographic, and political sources and perspectives in seeking to capture the character of black politics in the city. One chapter covers the historical development of the black struggle for power since 1900, while another reviews the postwar social and economic trends in the minority community. Other segments of the book describe the leadership, political strategies, and contemporary conflicts that have characterized black politics in New York City. There are specific chapters that deal with the role of the black church in the struggle for empowerment, the dynamics of elections in the city, the rivalry and cooperation between Caribbean and African-American blacks, as well as a chapter that compares New York City's experience with several other major cities.

It is difficult to convey the essence of the authors' findings, because the work does not have a highly coherent thesis. Nevertheless, the volume does convey a sharp sense of the forces that have played a large role in the struggle for black power. The authors see three periods of racial empowerment. From 1880–1932 the Irish dominated New York City almost to the exclusion of blacks, who were segregated into separate political clubs. During 1933–1976 other white ethnic groups forced the Irish to share power without often including many minority participants in their arrangements. Since 1977 there has been an opening up of the city's politics to blacks. But this is viewed by Green and Wilson as a difficult and conflictual development, particularly due to white backlash and persistent racism on the part of some political leaders.

Among the internal obstacles to black empowerment are the lack of effective city-wide black political organizations, the timid political role of modern black churches, and the preoccupation of many black political leaders with the personal institutionalization of power to the neglect of the larger black community. In addition, there are conflicts within the city's minority community that have often dogged the building of a strong minority electoral presence in the city, especially rivalry between the black and Hispanic communities (though not rivalry between Caribbean and Afro-American blacks, which appears to have minor electoral significance for black candidates).

The authors also point to external factors that have shaped minority politics, particularly the persistence of racist attitudes and the adverse economic pressures that have led to the economic decline of central cities and have created dispropor-

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tionate hardship among blacks and Hispanics. Green and Wilson rightly point out that the economic deterioration of the frostbelt economy not only has contributed to the enlargement of the so-called underclass, but it also has exaggerated the appearance of black power: that more public jobs and governmental benefits are flowing to blacks now is due in part to the fact that the private-sector economy is providing fewer good jobs and is creating more poor people in New York City.

While *The Struggle for Black Empowerment in New York City* provides a valuable snapshot of minority politics, the volume can be faulted for failing to integrate its various findings in a very persuasive theoretical scheme that sheds deeper insights. The authors frequently allude to the dynamics of liberal capitalism and its class politics as a major source of the racial dilemma. Yet this kind of perspective never gets developed much in their analysis; nor does it even inform the organization of their discussion. Consequently, the book takes on a leftish rhetorical slant that appears quite disconnected from its empirical discussion and prescriptions. Nevertheless, this work ought to spark greater interest in the new black politics.

PAUL KANTOR
Fordham University

The Politics of Regulatory Change: A Tale of Two Agencies *by Richard A. Harris and Sidney M. Milkas. New York, Oxford University Press, 1989. 334 pp. Cloth, $33.00; paper, $15.95.*

This is a shaggy dog of a book, bristling with ideas and anecdotes. Its mission is to explain regulatory change, not just regulation or deregulation, and to persuade us of that explanation by attention both to the sweep of history and the evolution of particular regulatory regimes.

The authors succeed admirably in painting broad (if uneven) portraits of the progressive, New Deal, "public lobby" (roughly 1966–1980), and Reagan eras of regulatory politics and in their more microcosmic histories of the Federal Trade Commission (FTC) and the Environmental Protection Agency (EPA). These are largely synthetic descriptions drawn from an already abundant literature. Yet, there is much to ponder here. The authors make numerous arresting connections—for example, between the New Deal and the public lobby regime's positions on the design of administrative institutions, and between the views of FDR and Ronald Reagan concerning the need for presidential control of administration.

The Politics of Regulatory Change is less successful, in explaining the crucial dynamic through which regulatory change occurs. The authors identify the object of their inquiry as regulatory "regime" changes—that is, changes in the constellation of ideas, institutions, and policies that populate the regulatory environments of different eras. A regulatory regime has a certain integrity or coherence across those three domains. This notion is elaborated by recalling the differences between

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the four eras discussed and then is applied particularly to the public lobby and Reaganite periods. The authors also make some progress in sketching the inertial forces that resist change from one regime to the next, although the inertial forces catalogued—the constitution, public philosophy, and the bureaucracy—are left sufficiently vague that this reader was in Chapter 1 already beginning to lose his hold on the model of change proposed.

The further chapters of the book, while often intriguing and useful in themselves, add little to one's understanding of the model. Indeed, the authors seem uncertain whether the Reagan era actually signalled a regime change in the politics of regulation as they have defined the term, and they are seldom at pains to apply their model in a detailed way to their case studies of the EPA and FTC. The book thus fails in its central theoretical ambition.

Nevertheless, there is much in *The Politics of Regulatory Change* that should be of interest to serious students of regulatory politics. Indeed, some aspects of the book are so illuminating, particularly the development of the relationship between 1960s New Left politics in general and the regulatory reform movements of the 1960s and 1970s, that one cannot help wishing that the whole of the authors energies had been devoted to the analysis of the connections between political movements and federal regulation.

JERRY L. MASHAW
Yale University

Race-Ethnicity and Society *by Benjamin B. Ringer and Elinor R. Lawless. New York, Routledge, 1989. 239 pp. Paper, $14.95.*

The book sets out to learn some constructive lessons from the racial and ethnic strife of the 1960s and 1970s. Its three primary conclusions are that the treatment of racial minorities in the United States was qualitatively different from that experienced by white immigrants; that racism, rather than being an aberration, was built into the very foundations of the society; and that our experience with minorities can be located within the mainstream of European colonialism. As one can see rather quickly, there is nothing very new in any of that. However, the book does provide some new conceptualizations, and it does extend its scope to include Afro-Americans, Native Americans, Chinese, Japanese, and Puerto Ricans in the United States. It briefly compares their experiences to those of racial and ethnic groups in Australia, New Zealand, South Africa, Zimbabwe, and a number of Latin American countries. The goal is to develop "a general model for the comparative analysis of race and ethnic relations in societies that were products of or influenced by the five centuries of white European expansion" (p. xvi). To that end, the book is reasonably successful.

The analysis begins with a very important insight. Racial and ethnic unrest must be understood within the context of the political-economic order without becoming

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deterministic in approach. It is not enough to take that order and its mythologies as a given and instead focus on interpersonal relationships and social orders alone—as has been the tendency of many traditional sociologists. Instead, one must understand that these fundamental institutions often establish dual systems that serve to structure the experiences of groups within them. Focusing on the United States, this duality begins with the Constitution itself. There was to be liberty and equality for all, but there was also to be legally sanctioned separate treatment for people of color. Thus, there was from the beginning one political-economic system for whites and another for non-whites.

From there the authors weave a rich synthesis of related literature and history into a carefully developed and well integrated model of racial and ethnic relations in the United States. The book is at its best in laying out important historical roots of racial oppression and the institutionalization of such oppression into major social and political structures.

The book's weaknesses tend to be those of omission rather than commission. For example, the authors stress the fundamental difference between the circumstances of racial minorities when compared to those of ethnic minorities in the U.S. experience; yet they fail to note how skin color generally precluded "passing," how urban political machines had diminished as assimilation agents by the time a number of these racial minorities finally arrived on the urban scene, and the corresponding change in the nature of the national economy from labor-intensive manufacturing to a service orientation—without nearly as many primary labor market jobs for unskilled immigrants. In fact, the book is at its weakest when failing to develop the institutionalization of racism in our economic structures and the subordination that it entails, given the crucial link between economics and politics in the United States. In attempting to avoid hyper-Marxian economic determinism, the authors almost completely ignore the economic connections altogether. Overall, however, this is a good example of interdisciplinary theorizing and historical analysis within an international perspective, even if it falls short in places due to the extensive breadth of its scope.

MARCUS D. POHLMANN
Rhodes College

Governing by Committee: Collegial Leadership in Advanced Societies *by Thomas A. Baylis. Albany, State University of New York Press, 1989. 236 pp. Cloth, $54.50; paper, $18.95.*

Where Max Weber predicted the demise of collegial structures of governance, Thomas Baylis asserts their continued good health. Weber's distinction between collegial and monocratic leadership, Baylis argues, remains a useful one for making sense of the decision processes and policies of national political executives. His

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book has three essential purposes: first, to show that collegial decision practices remain widespread in advanced industrial societies; second, to explain the persistence of these practices; and third, to convince us that the fact of their persistence is a fact worth knowing.

The bulk of the book is given over to the first purpose. With considerable sensitivity to detail, Baylis examines an impressive array of literature concerning decision making among top political leaders in sixteen countries, east as well as west. This descriptive material is almost always interesting and has the added virtue of reminding us of the potential theoretical insights to be gained from truly comparative work. Yet the payoff in theoretical insight is not what it might be. Although Baylis conceives of collegial and momocratic leadership as the ideal-typical endpoints of a continuum, he relies too much on the monocratic pole—one-man rule—to drive his analysis. He does not make much use of the collegial pole—shared authority among a number of equal individuals. As a result, Baylis can with ease point to collegial features of decision processes in a wide variety of countries, but he is unable to adequately distinguish among the majority of these countries in a theoretically meaningful way.

How are collegial practices to be explained? Baylis attributes their origins to a variety of factors: historical precedent, cultural predilections for weak leaders or consensus, and the need to reconcile the competing demands that grow out of cultural pluralism. Certain constitutional arrangements also appear to favor collegial decision making: the granting of relatively few powers to the prime minister, rules that inhibit the insularity of cabinets from parliament, and electoral laws that encourage coalition governments. But in explaining the *persistence* of collegial practices, Baylis emphasizes the power of bureaucrats and organized interests. Collegial practices persist, Baylis says, because leading bureaucrats and interest group leaders want it that way. More broadly, collegial patterns are said to be sustained and encouraged "by the very complexity, number, and range of public policy questions, by the attendant specialization of governmental functions in advanced societies, and by the 'neocorporatist' institutionalization of pressure group influence in such societies" (p. 4). Although Baylis does not spell out the causal mechanisms at work here, preferring instead the functionalist language of correlation, his argument is an important one.

What difference does it make if decision practices are more collegial rather than less? Are delay, avoidance, and incrementalism more likely to occur? Do citizens find it harder to assign credit and blame? Do decision makers consider a wider range of information and options? Do leading bureaucrats and interest group leaders in fact have more influence? Is there greater integration among political elites and less pursuit of naked self-interest? Although Baylis raises these questions, he does not answer them. Instead, he finds that regimes he rates as more collegial perform better on a number of standard economic and political indicators (for example, GNP per capita, voter turnout) than regimes he rates as less collegial. Is performance on these indicators causally related to differences in the

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collegiality of decision making? Baylis gives us no reason to think so. In the end, we are not sure that the fact of collegial decision making is a fact worth knowing.

FRITZ GAENSLEN
University of Vermont

Beyond Privatization: The Tools of Government Action *edited by Lester M. Salamon assisted by Michael S. Lund. Washington, D.C., The Urban Institute Press, 1989. 284 pp. Cloth, $28.75; paper, $14.75.*

Throughout the 1980s privatization has been a key and controversial issue in American public policy. To the Reagan administration and its conservative supporters, the federal government had grown too large and oppressive during the 1960s and 1970s. Privatization was adopted to reduce the scope of the federal government and its role in American life by shifting the responsibility for the funding, administration, and delivery of public functions and services to the private sector.

In practice, privatization encompasses many different policy strategies: contracting out program management and service delivery with private nonprofit and for-profit firms, reducing public expenditures, housing and educational vouchers, loan guarantees, modifying the tax structure to encourage certain activities by private organizations, deregulation of federal activities, decentralization of the administration of federal grants to state and local government, direct grants to private organizations, and the creation of government corporations that mix the qualities of public and for-profit businesses. Many of these practices had been growing with bipartisan support long before the Reagan administration took office.

The problem, as society is now discovering, is that many of these policies were expanded without adequate appreciation and assessment of the strengths and weaknesses of each approach. The savings and loan crisis, the unfolding scandal at the federal Department of Housing and Urban Development (HUD), the growing default rate among federally guaranteed student and housing loans, and the procurement problems at the Defense Department are examples of the breadth and depth of our current problems with various privatization strategies.

Consequently, *Beyond Privatization: The Tools of Government Action* is particularly timely. This book, a collection of nine articles, is an ambitious effort to bring some rationality to the way policy makers think about approaches to solving society's problems that involve the delegation of public authority to private organizations and the citizenry. Chapter two, written by Salamon and Lund, details the basic conceptual framework of the book: the "tools approach." Essentially, this approach proposes that the policy tools—"the methods through which government seeks a policy objective" (p. 29)—possess certain characteristics that make it possible to predict some of the likely consequences of each approach.

The tools approach is a way of classifying public policies in the tradition of previous work by James Q. Wilson and Theodore Lowi. Different tools each create a different politics, which in turn affects the success or failure of a particular ap-

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proach. For example, Salamon and Lund argue that tools involving cash assistance are easier to administer but less likely to generate political support than other more visible means of government action.

There are also six substantive chapters with broadly similar formats on the following tools of government action: direct government, grants, loan guarantees, tax expenditures, social regulation, and government corporations. Each chapter defines the tool, provides a historical summary of its development, offers an analysis of the policy consequences, compares the tool to other tools, and suggests its likely future use. Each chapter strives to present a measured, balanced view of the advantages and disadvantages of the six different tools of government action.

In chapter three, Christopher K. Leman wisely and correctly points out that many examples of direct government such as the U.S. Forest Service and Geological Survey are very effective at achieving their goals. In chapter four, Donald R. Haider provides a succinct description and analysis of the varieties of government grants and their impact on public policy including their effect on fiscal equalization among states, and the investment in physical versus human capital. Chapters five and six on loan guarantees and tax expenditures are concise, clear summaries of the operation and consequences of two complex and increasingly important tools of government action.

Chapter seven by Eugene Bardach is on social regulation, which he defines as regulation designed to enforce "responsible" conduct on organizations, groups, or individuals. This chapter may be the most controversial in the book. Bardach argues that social regulation is often ineffective, oppressive, and inappropriately applied; thus he recommends that government use market solutions and existing legal remedies if possible before using social regulation.

Chapter eight by Lloyd D. Musolf addresses government corporations—a public-private hybrid that encompasses such diverse organizations as the Port Authority of New York and New Jersey, the National Academy of Sciences, and the Post Office. This chapter is well-done and timely, since these organizations are likely to increase in influence and responsibility in the coming years because they do not generally evoke the antigovernment sentiments characteristic of wholly public organizations.

Students of public management will recognize many of the arguments presented in this book. Nonetheless, *Beyond Privatization* is a very accessible and useful compendium on tools of government action that involve the delegation of public authority to private organizations and individuals. The effort to bring rigor to the analysis of privatization through the tools approach is very welcome, given the frequently bitter ideological controversies surrounding the privatization debate. Indeed, policy makers are likely to find this book particularly helpful in assessing the likely consequences of different privatization strategies. And finally, the tools approach serves as a good starting point and framework for further research.

STEVEN RATHGEB SMITH
Duke University

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The Generous Corporation: A Political Analysis of Economic Power *by Neil J. Mitchell. New Haven, Yale University Press, 1989. 160 pp. $18.50.*

The American corporation has been an amazingly adaptive institution over the last century. Growing slowly and with strong political opposition during the early days of the republic, the corporate form has come to acquire tremendous economic and political power. By the end of the nineteenth century, the corporation had become the vehicle through which entrepreneurs were able to amass their fortunes and acquire their political and economic strength. And the prevailing philosophy of corporate America called for the use of naked economic power to secure maximum profit for the enterprise. Once the economic strength of America's corporations was secure, the maintenance of that strength became a significant challenge for the corporation. Mitchell describes how the corporation maintained its power by an analysis of it as a pragmatic institution adaptive to political needs. His central thesis is that the corporation maintained its power through a considered effort at establishing legitimacy within the political system. The leaders of corporate America worked hard to gain citizen acceptance.

Soon after the era of the robber barons, when corporations had grown through the exercise of their economic force, they began to respond to the criticisms that threatened their continued existence. These were not ad hoc, situational responses or responses to challenges posed by institutions, such as trade unions. They were well developed, fundamental and coherent changes that went to the basic ethos of the corporate form in America. And so while nationalization threatened basic industries throughout Western Europe, the American corporation was finding ways of maintaining its role in the social, economic and political causes that concerned the nation. It was becoming the good and generous citizen. Thus, corporate leaders preached social responsibility and the corporation furthered employee benefits such as pensions, health plans, and life insurance, even without the prodding of trade unions. The corporation participated in community activities and championed charity drives. The philosophy of business leaders and the community values they fostered went from the science of selfishness and profit maximization to the science of enlightened self-interest and the responsible use of business power.

In this respect, the corporation as a political institution eschewed ideology. This should come as no surprise, however, since in America, political parties themselves, and even trade unions have not generally embraced ideology. That certainly is evident when compared with political institutions in other western democracies.

Mitchell details this basic transformation and shows how the force of legitimacy and the furtherance of corporate social responsibility became essential features of the corporate form in America. To those who appreciate a political analysis of the corporation, this study offers a sound perspective and some useful insight. It does suffer from the fact that the author deals exclusively with the corporate culture and does not relate his treatment to other political institutions that developed similarly.

FRANK J. MACCHIAROLA
Columbia University

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Republic of Fear: The Politics of Modern Iraq *by Samir al-Khalil. Berkeley, University of California Press, 1989. 327 pp. $25.00.*

This book's first part is a chilling picture of Iraq's government, ultimately based, as the title suggests, on fear; yet, perversely, it is the most stable regime in Iraq's modern history. The book's second part is an attempt, at times brilliant, to explain why that is. As communist governments fall, revealing the foundations of modern dictatorship, the reader will hardly be surprised at the system that keeps the Ba'th in power. The East bloc trained Iraq's security forces. As we learn, there was an early agreement with Yuri Andropov, the KGB chief.

Republic of Fear is fascinating where it challenges old shibboleths and presents ideas rarely expressed by Arab authors. Khalil shows how Iraq's reign of fear began with an attack on minorities, later extended to the entire population. Six months after the Ba'th seized power, it hung fourteen "Zionist spies" in "Liberation" Square in a carnival-like atmosphere. (Charles De Gaulle saw that "as an 'inexorable' part of the Arab-Israeli crisis" p. 52.) As Khalil explains, the spectacle was really an attempt to create a bond with the people, in the name of, but in isolation from whom, the Ba'th had seized power.

The Ba'th has another enemy—imperialism. Anti-imperialism was invoked by earlier military regimes, even when Britain sided with Iraq against international condemnation after the 1933 Assyrian massacre, which made Bakr Sidqi a hero, paving the way for Iraq's first coup and presaging the phenomenon of the 1969 hangings. Khalil offers an explanation for the fixation on imperialism. Perhaps anti-imperialism is a modern slogan to insulate a traditional society from the wrenching changes modernity entails.

Khalil pointedly questions the Pan-Arab project, which became a central tenent and fiction of Ba'thism. Of Sati al-Husri's efforts to deny a leading Shi'ite poet employment in a Baghdad school, Khalil remarks, "A Syrian Arab brought up as a Turk creates a theory of identity based on the Arabic tongue, and yet feels compelled to exclude one of this century's great linguists" (p. 155). Husri, incidentally, spoke Arabic with difficulty.

Khalil rejects the "prejudice" that Iraqis are unusually violent. In 1952 King Farouk was sent sailing to Italy; Egyptians boasted of their bloodless revolution. When Iraq's monarchy fell, the bodies of the regent and prime minister were dragged through the streets before they were dismembered, parts thrown to the mob, and what remained dragged again. The prejudice is not easily dismissed nor politically irrelevant. Ironically, the Ba'th has recently rehabilitated the monarchy, playing to nostalgia for a time of relative freedom.

The book contains minor errors. The categories for certificates of Iraqi citizenship are Ottoman origin and "other," not "Iranian origin." Saddam Hussein's figure does not tower over the entrance of every village. Pictures are concentrated in Baghdad, the key to political power.

More importantly, Khalil claims the Ba'th "believe their own utterances" (p. 287). How does Khalil know what men believe in their hearts? Are the beliefs of young men in opposition still held sincerely after twenty years' rule? Michel Aflaq, chief

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ideologue and the only party founder who did not break with Ba'thism, spent many of his later years in Paris. Wasn't his preference for the imperialist metropole implicit repudiation of the Ba'thist project? Unlike Khalil, my impression is one of widespread cynicism, similar to that in communist countries, potentially raising the same sorts of pressures and challenges to the regime.

This book is not only about Iraq. It is important for understanding the institutional and ideological foundations of those contemporary Middle Eastern regimes that lack either traditional or democratic claims to legitimacy.

LAURIE MYLROIE
Harvard University

Third-World Development: Aspects of Political Legitimacy and Viability *by Tri Q. Nguyen. Cranbury, N.J., Fairleigh Dickinson University Press, 1989. 221 pp. $35.00.*

This text for "top policy makers" (p. 15), working professionals, scholars and students, and the general public premises that development is fundamentally a moral issue. The author, a former rector of the National Institute of Administration in Saigon and a consultant for international agencies, offers a clear-cut thesis on the causes of and solutions for underdevelopment.

Nguyen contends that the underlying problem in the Third World is the inability of polities to deal with crises of legitimacy. In this regard, the role of leadership is crucial. Leaders should use power to increase the legitimacy of the regime. This entails adopting the western democratic model and promoting cultural renewal: a combination of the "positive facets" of "home-grown and imported values (p. 95–96). Nguyen regards communism as an ideology alien to the Third World, but he notes that capitalism props up a "westernized middle class" of bureaucrats and compradors (p. 39). He also debunks aid addiction, which both sustains the well-to-do and returns capital to donor countries.

The categories of analysis employed in this book are open to challenge, for they underestimate the dynamics of social structure and history. Leaders are deemed to be makers of history; only elites are active agents in this analysis. Regimes are placed in the dichotomies of western democracies versus the communist bloc and communist less-developed countries versus noncommunist less-developed countries. Clearly events in the age of *perestroika* and *glasnost* have outdistanced the claims that well-established communist regimes have not yet been overthrown and that Third World leadership can always be assured of receiving communist bloc support.

Not only will many readers take issue with the notions of a monolithic communist bloc, but also with the lack of attention to alternative strategies of development. To limit the options to communism or captialism reduces a complex discourse over import substitution, export promotion, self-reliance, regional coop-

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eration, and so on to old-fashioned and unproductive ideological bickering. Moreover, Nguyen's call for law and order in the Third World, with the involvement of such western "covert agencies" as the CIA (p. 140), is hard to reconcile with his premise that development is, above all, a matter of moral choice. Or do the author's own moral preferences prove his point?

JAMES H. MITTELMAN
Queens College, CUNY

Embargo Disimplemented: South Africa's Military Industry *by Signe Landgren. New York, Oxford University Press, 1989. 276 pp. $65.00.*

Through the years, South Africa has developed and maintained an extensive defense industry. The state has taken the lead role in these developments and has done so in the face of and in response to no less than four UN Security Council resolutions prohibiting the export of armaments and military and nuclear technology to South Africa, and the import of armaments manufactured in South Africa. The first resolutions, passed in 1963, called for a voluntary cessation of all sales of armaments, other military equipment, and equipment and materials for arms production. A mandatory embargo followed in 1977. In 1984 the Security Council passed a non-mandatory request to refrain from importing arms, ammunitions, and military vehicles produced in South Africa.

The book is a study of how South Africa and others "disimplemented" these resolutions—that is, how the arms embargoes have been "circumvented, broken, ignored or openly defied, whether intentionally or unintentionally at governmental level" (p. 244). Signe Landgren identifies no less than ten techniques of disimplementation: licensed production (even after the licenses are terminated); multinational corporations and banks operating in South Africa; South African direct investments in strategic industries overseas; cover companies; dual-purpose and grey-area equipment; the supply of spare parts, support, and maintenance equipment for existing projects; the use of foreign manpower; renting and leasing (especially computers); third-country deliveries; and smuggling.

The principal South African organization charged with the task of assuring a steady supply of the required military materiel is Armscor. Established in 1968, Armscor is a state corporation that is an umbrella organization to coordinate the arms acquisition activities of government, the defense forces, private industry, and a few state factories. It is directly involved in defense planning, military R & D, financing, and manufacturing. It also coordinates an extensive network of private firms through which much of Armscor's work is subcontracted. Simply put, Armscor is a success story because it has enabled South Africa to evade at least partially the fundamental purposes of the arms embargo—at some inflated costs, to be sure.

As a piece of investigative research this book is excellent. It pulls together and

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presents in well-organized fashion a mountain of often obscure (although published) data. The presumption is that such a compilation will serve to accuse and damn and thereby force a termination of collaborative policies with Armscor. There is a heavy reliance upon newspapers and the industry and trade journals (for example, *Jane's*). As a scholarly study, however, it is a disappointment. Too frequently it reads like a clip and paste job, each section being the contents of a manila folder of newspaper and magazine clips on the narrow topic at hand. There is little analysis, no theory building or testing, little comparative exposition. The appendix on "Sources and Methods" is helpful, as is the printing of the UN resolutions in full, a fine "Selected Bibliography," and a useful table on South Africa's dependence on foreign weapons industries.

In many respects this is a reference work to be consulted, but not to be read. It is at its best discussing the military industrialization process and the continuous weapons development loop. In both we can discern an understandable process at work. It is less satisfying in the seemingly monotonous piling of report upon report, rumor upon rumor (although the author is selective and critical of unsubstantiated reports). There are gaps, especially in Landgren's tendency to omit scholarly work on the topic (for example, J.D.L. Moore's 1987 book, *South Africa and Nuclear Proliferation*) and on the theoretical dimensions of the subject, and the research on Armscor being done at South African universities. Some further data might have been gleaned from court proceedings related to the prosecution of those who violated domestic laws related to the embargo. Nonetheless, the work is solid, generally reliable, and a fine addition to the SIPRI (Stockholm International Peace Research Institute) sponsored collection.

KENNETH W. GRUNDY
Case Western Reserve University

Soviet Nuclear Strategy from Stalin to Gorbachev: A Revolution in Soviet Military and Political Thinking *by Honoré M. Catudal. Atlantic Highlands, N. J., Humanities Press International, 1989. 413 pp. $49.95.*

This book is ambitious in its scope, covering topics including the origins of the Soviet nuclear weapons program under Stalin; Soviet views of deterrence; the state of Soviet civil defense, ballistic-missile defense, and strategic missile programs; and Soviet attitudes towards arms control up to the signing of the treaty banning intermediate-range nuclear forces (INF) in the second year of the Gorbachev regime. It is based mainly on secondary accounts or primary material that has been used extensively by other analysts. The author exhibits familiarity with a wide range of literature on Soviet military policy, nuclear strategy, and U.S.-Soviet arms control, and his judgments are by and large thoughtful and balanced. In fact, it is somewhat surprising the extent to which he manages to cite authors with widely

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divergent views on Soviet policy without their disagreements intruding into his own presentation.

The study has a number of problems. Even though the tendency to date quickly afflicts most writing about the Soviet Union and Eastern Europe these days, this book suffers from the malady more than most, mainly because the author sought to treat the subject only partially and haphazardly. The book was first published in Berlin in 1988, and the manuscript was evidently completed in late 1987, after the INF treaty had been signed but before it was ratified. Yet the author did not systematically go through the manuscript to bring it up to that date. Thus on pages 144–146 he discusses the Soviet reaction to the U.S. deployment of Pershing II and cruise missiles without mentioning that they are being destroyed under the INF treaty—even though the treaty text itself appears as an appendix. Marshal Sergei Sokolov is identified as the current Soviet defense minister, but a footnote on the next page reveals that he was replaced by General Dmitrii Iazov in May 1987. Then, on page 290, the author again recounts the dismissal of Sokolov, this time in the text, and describes Iazov as the current defense minister. Since the last hundred pages of the book deal with events after Iazov's appointment, it is difficult to understand why the author let the outdated material on Sokolov (and much else) remain.

The second major problem concerns editing and proofreading. The book exhibits little of either. The author thanks several government officials and analysts for having read his manuscript. His main means of acknowledging their contribution is to include their criticisms of his arguments in his footnotes—often with extensive verbatim quotes from letters—rather than to reconcile their criticisms with his views. The organization of material also leaves something to be desired. There is considerable repetition and occasional contradiction of facts from one page to the next. Some tangential issues receive inordinate attention, such as bureaucratic infighting about arms control within the Reagan administration. Other more important ones receive none, such as the effect of economic constraints on Soviet security policy. Finally, typographic errors abound: General Nikolai Chervov, a prominent general staff officer and spokesperson for Soviet arms-control policy is listed once as Cherov, a couple of times as Chernov, but never by his real name. Americans—especially other authors—fare no better. Albert Carnesale becomes Arthur Carnesdale and Albeter Carnesale, Harry Gelman becomes Henry Goldman, and numerous authors suffer lesser indignities. Russian-language sources appear in a bewildering mix of transliterations and misspellings, casting doubt on the author's command of the primary material he cites. Because the historical material included here is well covered elsewhere, the outdated and uneven treatment of the Gorbachev period and the poor editing of this volume further limit its value.

MATTHEW EVANGELISTA
University of Michigan

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Reference Books and Source Materials Received

Access to U.S. Government Information: Guide to Executive and Legislative Authors and Authority *compiled by Jerrold Zwirn. Westport, Conn., Greenwood Press, 1989. 174 pp. $35.00.*

Encyclopedia of Nationalism *by Louis Snyder. New York, Paragon House, 1990. 263 pp. $35.00.*

Europe in the 1990's: A Geographic Analysis, sixth edition, *edited by George W. Hoffman. New York, John Wiley & Sons, Inc., 1989. 754 pp. $49.95.*

Foreign Relations of the United States, 1955–1957, Volume X: Foreign Aid and Economic Defense Policy *edited by John P. Glennon. Washington, D.C., United States Government Printing Office, 1989. 775 pp. $35.00.*

Foreign Relations of the United States, 1955–1957, Volume XXII: Southeast Asia *edited by John P. Glennon. Washington, D.C., United States Government Printing Office, 1989. 973 pp. $20.00.*

Gorbachev's Gamble: The 19th All-Union Party Conference *by Baruch A. Hazan. Boulder, Colo., Westview Press, 1989. 485 pp. $42.50.*

The 1989 Guide to Southern Politics *by Hastings Wyman, Jr. Lanham, Maryland, University Press of America, 1989. 117 pp. Cloth, 29.75; paper, $19.75.*

The Harry S. Truman Encyclopedia *edited by Richard S. Kirkendall. Boston, Mass., G.K. Hall & Co., 1989. 404 pp. $60.00.*

The International Law of Diplomacy *by B. S. Murty. New Haven, Conn., New Haven Press, 1989. 682 pp. $159.00.*

The Peace and Nuclear War Dictionary *by Sheikh R. Ali. Santa Barbara, Calif., ABC-CLIO, 1989. 294 pp. $44.50.*

Trends in Public Opinion: A Compendium of Survey Data *by Richard G. Niemi, John Mueller, and Tom W. Smith. Westport, Conn., Greenwood Press, 1989. 344 pp. $49.95.*

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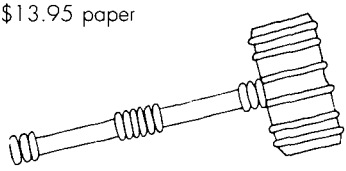

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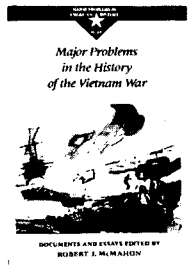

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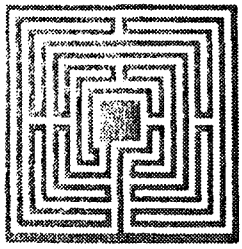

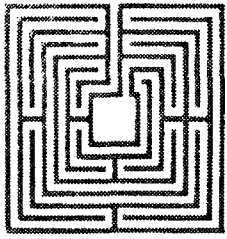

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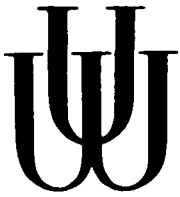

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